



Mobile Urban County 2020 Analysis of Impediments to Fair Housing Choice

May 2020

**Mobile County Commission
Post Office Box 1443
Mobile, Alabama 36633**

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ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

For Program Years 2020 to 2024

MOBILE URBAN COUNTY, ALABAMA

Mobile County Commission

Grants Department

May 2020

Prepared for the Mobile County Commission by
Mosaic Community Planning, LLC



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CHAPTER I.

INTRODUCTION

FAIR HOUSING PLANNING

Equal access to housing choice is crucial to America’s commitment to equality and opportunity for all. Title VIII of the United States Civil Rights Act of 1968, more commonly known as the Fair Housing Act, provides housing opportunity protection by prohibiting discrimination in the sale or rental of housing on the basis of race, color, religion, sex, and national origin. The Act was amended in 1988 to provide stiffer penalties, establish an administrative enforcement mechanism and to expand its coverage to prohibit discrimination on the basis of familial status and disability. The U.S. Department of Housing and Urban Development (HUD), specifically HUD’s Office of Fair Housing and Equal Opportunity (FHEO), is responsible for the administration and enforcement of the Fair Housing Act and other civil rights laws.

Provisions to affirmatively further fair housing (AFFH) are basic long-standing components of HUD’s housing and community development programs. The AFFH requirements are derived from Section 808(e) (5) of the Fair Housing Act which requires the Secretary of HUD to administer the Department’s housing and urban development programs in a manner to affirmatively further fair housing.¹

Local communities like Mobile County that receive grant funds from HUD through its entitlement process satisfy this obligation by performing an “Analysis of Impediments to Fair Housing Choice” (AI). In an AI, grantees evaluate barriers to fair housing choice and develop strategies and actions to overcome identified impediments based on their histories, circumstances, and experiences. Through this process, communities promote fair housing choice for all persons, including classes protected under the Fair Housing Act, and promote racially and ethnically inclusive patterns of housing occupancy, identify structural and systematic barriers to fair housing choice, and promote housing that is physically accessible and usable by persons with disabilities.

HUD presumes that a grantee is meeting its obligation and certification to affirmatively further fair housing by taking actions that address the impediments, including:

- Analyzing and eliminating housing discrimination within the jurisdiction;
- Promoting fair housing choice for all persons;
- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to all persons to include those persons with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

Through its Community Planning and Development (CPD) programs, HUD’s goal is to expand mobility and widen a person’s freedom of choice. The Department also requires Community Development Block Grant

¹ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 1: Fair Housing Planning Historical Overview, Page 13)*. March 1996.

(CDBG) program grantees to document AFFH actions in the annual performance reports that are submitted to HUD.

In 2015, HUD published a final rule on Affirmatively Furthering Fair Housing, which outlines procedures that jurisdictions and public housing authorities who participate in HUD programs must take to promote access to fair housing and equal opportunity. This rule stipulated that grantees and housing authorities take meaningful actions to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected class characteristics. Under HUD's final rule, grantees must take actions to:

- Address disparities in housing need;
- Replace segregated living patterns with integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Foster and maintain compliance with civil rights and fair housing laws.

To assist grantees and housing authorities affirmatively further fair housing, HUD provides publicly available data, maps, and an assessment tool to use to evaluate the state of fair housing within their communities and set locally-determined priorities and goals. HUD's final rule mandated that most grantees begin submitting to HUD an assessment developed using these tools in 2017; however, a 2018 HUD notice withdrew the requirement to prepare such assessments. A subsequent notice further required that grantees instead prepare and keep on file a current Analysis of Impediments to Fair Housing Choice. HUD's data and maps remain available for grantees to use in preparing their AIs.

Mosaic Community Planning assisted Mobile County with the preparation of this Analysis of Impediments to Fair Housing Choice. It covers the Mobile County Urban County, which includes unincorporated Mobile County and the municipalities of Bayou La Batre, Chickasaw, Citronelle, Creola, Mount Vernon, Prichard, Saraland, Satsuma, and Semmes. Dauphin Island does not participate in the Urban County and the City of Mobile is a separate entitlement grantee which prepares its own AI.

Throughout this report, data shown for Mobile County refers to the Urban County geography. Data for the Mobile Region includes the Urban County as well as Dauphin Island and the City of Mobile.

This AI follows the requirements in HUD's *Fair Housing Planning Guide* but also complies with the regulations and assessment tool established in HUD's 2015 final rule. In several chapters, it incorporates the maps and data developed by HUD for use by grantees as part of the Affirmatively Furthering Fair Housing final rule.

DEFINITIONS

Affirmatively Further Fair Housing – In keeping with the latest proposed guidance from HUD, to Affirmatively Further Fair Housing Choice (AFFH) is to comply with “the 1968 Fair Housing Act’s obligation for state and local governments to improve and achieve more meaningful outcomes from fair housing

policies, so that every American has the right to fair housing, regardless of their race, color, national origin, religion, sex, disability or familial status.”²

Fair Housing Choice - In carrying out this Analysis of Impediments to Fair Housing Choice, Mobile County used the following definition of “Fair Housing Choice”:

- The ability of persons of similar income levels to have available to them the same housing choices regardless of race, color, religion, sex, national origin, familial status, or handicap.

Impediments to Fair Housing Choice - As adapted from the HUD *Fair Housing Planning Guide*, impediments to fair housing choice are understood to include:³

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

Protected Classes – The following definition of federally protected classes is used in this document:

- Title VIII of the Civil Rights Act of 1968 prohibits housing discrimination based on race, color, national origin or ancestry, sex, or religion. The 1988 Fair Housing Amendments Act added familial status and mental and physical handicap as protected classes.

Affordable – Though local definitions of the term may vary, the definition used throughout this analysis is congruent with HUD’s definition:

- HUD defines as "affordable" housing that costs no more than 30% of a household's total monthly gross income. For rental housing, the 30% amount would be inclusive of any tenant-paid utility costs. For homeowners, the 30% amount would include the mortgage payment, property taxes, homeowners insurance, and any homeowners’ association fees.

DATA SOURCES

Decennial Census Data – Data collected by the Decennial Census for 2010 and 2000 is used in this Assessment (older Census data is only used in conjunction with more recent data in order to illustrate trends). The Decennial Census data is used by the U.S. Census Bureau to create several different datasets:

- 2010 and 2000 Census Summary File 1 (SF 1) – This dataset contains what is known as “100% data,” meaning that it contains the data collected from every household that participated in the Census and is not based on a representative sample of the population. Though this dataset is very broad in terms of coverage of the total population, it is limited in the depth of the information collected. Basic

² U.S. Department of Housing and Urban Development. “HUD Publishes New Proposed Rule on Affirmatively Furthering Fair Housing Choice.” Press Release No. 13-110. July 19, 2013.

³ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 2: Preparing for Fair Housing Planning, Page 2-17)*. March 1996.

characteristics such as age, sex, and race are collected, but not more detailed information such as disability status, occupation, and income. The statistics are available for a variety of geographic levels with most tables obtainable down to the census tract or block group level.

- 2000 Census Summary File 3 (SF 3) – Containing sample data from approximately one in every six U.S. households, this dataset is compiled from respondents who received the “long form” Census survey. This comprehensive and highly detailed dataset contains information on such topics as ancestry, level of education, occupation, commute time to work, and home value. The SF 3 dataset was discontinued for the 2010 Census, but many of the variables from SF 3 are included in the American Community Survey.

American Community Survey (ACS) – The American Community Survey is an ongoing statistical survey that samples a small percentage of the U.S. population every year, thus providing communities with more current population and housing data throughout the 10 years between censuses. This approach trades the accuracy of the Decennial Census Data for the relative immediacy of continuously polled data from every year. ACS data is compiled from an annual sample of approximately 3 million addresses rather than an actual count (like the Decennial Census’s SF 1 data) and therefore is susceptible to sampling errors. This data is released in two different formats: single-year estimates and multi-year estimates.

- ACS Multi-Year Estimates – More current than Census 2010 data, this dataset is one of the most frequently used. Because sampling error is reduced when estimates are collected over a longer period of time, 5-year estimates will be more accurate (but less recent) than 1-year estimates. The 2012-2016 ACS 5-year estimates are used most often in this assessment.

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) – HUD’s AFFH Data and Mapping Tool provides a series of online, interactive maps and data tables to assist grantees in preparing fair housing analyses. Topics covered include demographics and demographic trends; racial and ethnic segregation; housing problems, affordability, and tenure; locations of subsidized housing and Housing Choice Voucher use; and access to educational, employment, and transportation opportunities. This report uses HUD’s latest data and maps, AFFHT0004, which was released in November 2017. HUD’s source data includes the American Community Survey (ACS), Decennial Census / Brown Longitudinal Tract Database (BLTD), Comprehensive Housing Affordability Strategy (CHAS), Longitudinal Employer-Household Dynamics (LEHD), HUD’s Inventory Management System (IMS) / Public and Indian Housing (PIH) Information Center (PIC), and others. For a complete list of data sources, please see HUD’s Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation available online at <https://www.hudexchange.info/resources/documents/AFFH-T-Data-Documentation-AFFHT0004-November-2017.pdf>.

Previous Plans, Codes, and Works of Research – This AI is supported by, and in some cases builds upon, previous local plans, policies, and works of research prepared for Mobile County and other Urban County jurisdictions, including:

- *Mobile County, Alabama 2015 Analysis of Impediment to Fair Housing Choice*
- *Mobile County, Alabama 2015-2019 Consolidated Plan and Annual Action Plans for Program Years 2015 through 2019*

- *Mobile Urban County Consolidated Annual Performance and Evaluation Reports (CAPERs) for Program Years 2015 through 2018*
- *Housing First, Inc. 2018 Annual Report*
- *City of Bayou La Batre Zoning Ordinance and Proposed Zoning Ordinance Final Draft for Public Review*
- *Chickasaw Zoning Ordinance*
- *Zoning Ordinance of the City of Citronelle*
- *Code of Ordinances of the City of Creola*
- *Mount Vernon Code of Ordinances*
- *Zoning Ordinance of the City of Prichard, Alabama*
- *City of Saraland Land Use and Development Ordinance*
- *Zoning Ordinance of the City of Satsuma*

CHAPTER 2.

COMMUNITY PARTICIPATION PROCESS

COMMUNITY ENGAGEMENT OVERVIEW

An important component of the research process for this Analysis of Impediments to Fair Housing Choice involved gathering input regarding fair and affordable housing conditions, perceptions, and needs in Mobile County. The project team used a variety of approaches to achieve meaningful public engagement with residents and other stakeholders, including public meetings, interviews, and a county-wide public survey.



ABOUT 160 RESIDENTS AND OTHER STAKEHOLDERS GAVE INPUT FOR THIS AI THOROUGH MEETINGS, INTERVIEWS, AND A COMMUNITYWIDE SURVEY.

Public Meetings

The community engagement process included two public meetings to inform residents and other stakeholders about the County’s Analysis of Impediments to Fair Housing Choice (AI) project and gather input about housing access. The first meeting was held at the Prichard Community Center in Prichard, AL and the second at the Mobile County Government Plaza. These meetings began with a short overview of the AI followed by an interactive, facilitated discussion on fair housing, neighborhood conditions and the distribution of resources throughout the county. Advertisements for the public meetings noted that refreshments would be served and children were welcome to attend in order to increase attendance. Thirty-four people attended a public meeting. Meeting dates, times and locations are shown below:

Public Meeting #1

October 21, 2019
6:00 PM
Prichard Housing Authority
William “Bill” Clark Family Life Center
2501 W. Main Street
Prichard, AL 36610

Public Meeting #2

October 22, 2019
2:00 PM
Mobile Government Plaza
205 Government Street
Mobile, AL 36602

Stakeholder Interviews

The project team also conducted interviews with stakeholders with knowledge of fair housing issues in Mobile County. Stakeholders were identified with assistance from local government staff and represented a variety of viewpoints including fair housing, legal advocacy, affordable housing, advocacy, and services for people with disabilities, and others. Interviews were held the week of October 20, 2019 at the Mobile County Government Plaza; telephone interviews were also offered.

Participating Organizations

Thirty-three representatives from 26 agencies participated in an interview or public meeting. Organizations from which one or more representatives participated in the development of this AI include the following:

- Boat People SOS – Bayou La Batre
- Boys and Girls Club of South Alabama
- Center for Fair Housing, Inc.
- City of Mobile
- City of Prichard
- Franklin Primary Health Center
- Habitat for Humanity of Southwest Alabama
- Housing Authority of the City of Chickasaw
- Housing Authority of the City of Prichard
- Housing First, Inc.
- Legal Services Alabama
- Lifelines Mobile
- Mobile Area Chamber of Commerce
- Mobile Area Interfaith Conference, Inc.
- Mobile County Administration
- Mobile County Commission
- Mobile County Health Department
- Mobile County Public School System
- Ozanam Charitable Pharmacy
- Penelope House
- Regions Mortgage
- Salvation Army of Coastal Alabama
- Southwest Alabama Partnership for Training and Employment
- Success 4 the Future
- University of South Alabama
- The Wave Transit System

Community Survey

A final method for obtaining community input was a 27-question survey available to the general public, including people living and/or working in Mobile County and other stakeholders. The survey was available online and in hard copy from October 9 to November 18, 2019. Paper copies were available at the public meetings. A total of 104 survey responses were received.

Public Comment Period and Hearing

Mobile County held a public comment period to receive input on the draft Analysis of Impediments from Wednesday, April 15 through Friday, May 15, 2020. The County also held a public hearing and

presentation of the draft at the Mobile County Commission meeting on Monday, May 11, 2020. No comments were received.

Publicity for Community Engagement Activities

Advertisement for the public meetings and survey targeted the general public, as well as nonprofits, service providers, housing providers, and others working with low- and moderate-income households and special needs populations. The County sent a press release to local media outlets and published a public notice with meeting information and the survey link in the *Lagniappe*, the *Call News*, and the *Press Register*. *La Costa Latina* ran the notice in English and Spanish. The County also advertised the meetings and survey on its Facebook page. Project flyers were emailed to more than 30 local housing and service providers, community development practitioners, and county and municipal staff, both as outreach to these stakeholders and for distribution to their clients/residents. Meeting advertisements noted that accommodations (including translation, interpretation, or accessibility needs) were available if needed; no requests for accommodations were received.

The public comment period was advertised in the *Lagniappe*, the *Call News*, the *Press Register*, and *La Costa Latina*, with a note that Spanish translation would be provided upon request; no translation requests were received.

COMMUNITY ENGAGEMENT RESULTS

Listed below are the summarized comments from interviews, community meetings, and focus groups, as well as a summary of survey results. All input was considered in the development of this AI, and no comments or surveys were not accepted. Note that these comments do not necessarily reflect the views of Mobile County or Mosaic Community Planning.

Public Meetings

1. What types of housing needs are greatest in Mobile County? Are there parts of the county where the need is greater than others?

Assistance for First Time Homebuyers

- Residents noted a continued need for down payment assistance, both through Mobile County's down payment assistance program and through programs offered by the Alabama Housing Finance Authority (AFHA).

Rehab/Repair Programs for Homeowners

- Residents noted that housing condition is an issue, particularly in Prichard, where some people cannot afford to make necessary repairs. Senior homeowners, especially those on fixed incomes such as social security, need help maintaining properties so their homes do not fall into disrepair.
- Some homeowners take out second mortgages to renovate their homes but are taken advantage of by predatory lenders. Homeowners need additional education about second mortgages and home improvement loans to prevent them from becoming victims of predatory lending practices.

- Houses remain in the ownership of one family over several generations. However, some residents feel that descendants who inherit homes need additional education on homeownership and maintenance so that they can keep the home in their possession.
- Residents noted that greater outreach about available assistance programs would be helpful.

Greater and More Varied Housing Supply

- Meeting attendees noted that there is a need for more housing, including mixed-use housing, rental housing, and housing for homeownership.

Property Maintenance by Landlords

- Meeting participants noted that improved property maintenance by landlords is a need.

Equitable Mortgage Lending

- At the public meeting in Prichard, attendees said that Prichard has been intentionally redlined with regard to lending. They would like to see more oversight to ensure banks are lending in Prichard, along with a concerted effort to build affordable homes and lend in Prichard.

2. What parts of Mobile County are generally seen as areas of opportunity (i.e. places people aspire to live, places that offer good access to schools, jobs, and other amenities)? What makes them attractive places to live? Are there barriers someone might face in moving to one of these areas?

- Areas mentioned by meeting attendees as areas of opportunity include Airport Boulevard and Spring Hill.
- At the public meeting in Prichard, attendees noted that most amenities in Mobile County are not available in Prichard; those that are available are generally in walkable areas.
- Meeting participants said that people throughout the county come to the City of Mobile to access retail and resources. However, some residents would prefer to shop locally so they could put money back into their communities.
- Transportation is a barrier to accessing different parts of the County.

3. Do residents of similar incomes generally have the same range of housing options? Are there any barriers other than income/savings that might impact housing choice?

- Some meeting attendees said that protected class factors do impact housing choice in Mobile County.
- At the public meeting in Prichard, some participants noted that real estate agents may steer buyers away from Prichard. They also stated that while there is buildable land, there are not builders in Prichard.

4. What types of fair housing services (education, complaint investigation, testing, etc.) are offered in the area? Who offers them?

- Meeting attendees noted that there is a fair housing office in Mobile that serves the county.

5. Are public resources (e.g. parks, schools, roads, police & fire services, etc.) available evenly throughout all neighborhoods in the city? Do some areas get more/less than their share?

- Some meeting participants noted that the quality of roads, concrete, cleanup, tree clipping, and other services are not done equally in all neighborhoods in the County.
- At the public meeting in Prichard, attendees noted that lighting is not as well maintained as in other municipalities and that the city lacks amenities such as a swimming pool and grocery store.

Stakeholder Interviews

1. What types of housing needs are greatest in Mobile County? Are there parts of the county where the need is greater than others?

Affordable housing needs identified by interview participants include:

- Affordable housing and apartments for low- to moderate-income households. Some households spend 50-60% of their income on housing, which is unsustainable even with rental assistance.
- Move-in ready housing. A lack of vacant housing means that even middle-income households struggle to find move-in ready housing they can afford.
- Affordable housing near transit/along public transportation routes. Market-rate apartments in areas served by transit are unaffordable for low-income families. Housing and transportation are also issues in rural areas.
- Improved connections between affordable housing, jobs, and grocery stores.
- Addressing barriers such as bad credit and evictions that can lead to homelessness.
- First time homebuyer assistance.
- Housing rehab/repair programs, including programs targeting senior homeowners.

Public housing needs identified by interview participants include:

- Assistance to ensure that residents displaced by demolition of public housing have continued access to affordable housing and/or housing choice vouchers.
- Long waiting lists for publicly supported housing.
- Improved access to groceries and transportation at some public housing developments.

Other housing needs identified by interview participants include:

- Assistance for seniors at home. In-home case management or home health is a need for people who cannot live independently but do not need a nursing home.
- Housing for people with disabilities.
- Housing for people who are homeless.
- Transitional housing for the formerly incarcerated who cannot live in federally funded housing.
- Education and enforcement on tenant rights. Alabama passed a landlord-tenant law intended to give renters additional rights and landlords a process for working with difficult tenants. However, the current law is a challenge to enforce.

2. What parts of Mobile County are generally seen as areas of opportunity (i.e. places people aspire to live, places that offer good access to schools, jobs, and other amenities)? What makes them attractive places to live?

- Areas of opportunity as identified by interview participants include Mobile, West Mobile and the Schillinger Road area, Tillman’s Corner, Saraland, Satsuma, Creola, Wilmer, Semmes, Spring Hill, and Prichard.
- Interviewees noted that some of these areas are attractive because of school quality, grocery access, transit availability, proximity to employment centers and the interstate, and availability of housing.
- Some interviewees noted that areas such as Prichard, Satsuma, Chickasaw, Creola, Dauphin Island, and Tillman’s Corner do not have many employment opportunities, but do have access to schools.
- Other interviewees commented that higher insurance costs in south Mobile County due to hurricane/flood risks make it harder for people to buy homes there.
- Additionally, some interviewees noted that people are moving across the bay to Baldwin County, where the school systems are considered to be better.

3. Do residents of similar incomes generally have the same range of housing options? Are there any barriers other than income/savings that might impact housing choices? Are you aware of any housing discrimination?

- Some stakeholders stated that they were not aware of and had not seen housing discrimination in Mobile County. They reported that those person with equal incomes had equal access to housing.
- Housing barriers other than income/savings identified by interview participants included ability to access loans, credit scores, debt (including student loan debt), transportation (particularly for people with disabilities or those who rely on public transit to get to work), access to quality schools, location of resources for families with children with special needs, location of amenities and stores, safety and crime, and housing supply, including the availability of options for larger families.
- Some interviewees noted that housing discrimination occurs based on race as shown through housing testing. Additionally, interviewees noted home purchase loan terms such as interest rate or required down payment may vary by buyer race. Stakeholders also commented that redlining can still be seen in present-day maps of loan activity.
- Interviewees also noted that familial status could impact housing options, particularly for households with several young children.
- One interviewee shared a story of religious discrimination against a Muslim couple by a landlord.
- Another interviewee noted that victims of domestic violence may face housing barriers, including risk of eviction due the perpetrator of domestic violence.
- One interviewee noted that in the last 5 years, the greatest number of local fair housing complaints have been related to disability.

4. Are people in Mobile County segregated in where they live? What causes this segregation to occur?

- Some interviewees responded that Mobile County does not have much racial segregation and has become a melting pot.
- Some interviewees answered that while Mobile County is segregated, some parts of the County have become more integrated in recent decades. There are some areas that are very diverse by race, income, and family size, but also some where residents are predominately of a single race.
- Several interviewees noted that Mobile County is quite racially segregated, both historically and presently. They explained that predominately African American communities, such as Prichard, exist because of barriers African Americans faced in moving to other areas. They also noted that Bayou La Batre is a predominately Asian community formed around the seafood/fishing industry. Other interviewees stated that segregation is primarily driven by income.
- Of the interviewees that identified the County as segregated, factors they noted as contributing to segregation included:
 - Ongoing redlining by mortgage lenders
 - Steering by real estate agents
 - Zoning and development patterns, particularly related to multifamily housing
 - Historical patterns
 - Income
 - Assumptions about how crime and income are related
 - Desire to be near family, people of a similar ethnicity, or people who are otherwise similar
 - Desire to be within specific school attendance zones
 - Access to jobs/industries
 - Access to amenities
 - Transportation, particularly for people with disabilities

5. What types of fair housing services (education, complain investigation, testing, etc.) are offered in the area? Who offers them? How well are they coordinated with the work of other organizations in the community?

- The Center for Fair Housing was identified by several interviewees, who noted the following activities by the Center for Fair Housing:
 - Services for people who have been discriminated against
 - Collaboration with other non-profits on education
 - Trainings and classes, including for landlords who have been cited by HUD
 - Clinics so people can meet with an attorney to discuss landlord-tenant issues
 - Education about accessibility for people with disabilities
 - Referrals to the Salvation Army
 - Collaboration with and referrals to Legal Services
- Other agencies that interviewees identified as providing fair housing services in Mobile County include Legal Services of Alabama, Lifelines (mortgages and credit issue assistance), Housing First (referrals), Mobile County and Consumer Credit Council (down payment assistance seminars), and Prichard Housing Authority (classes).

- One interviewee noted that people may go to bank leadership to report discrimination by a lender or to the Better Business Bureau.
- Interviewees also noted that Fair Housing of Alabama does training at the state level.

6. Are public resources (e.g. parks, schools, road, police & fire services, etc.) available evenly throughout all neighborhoods in the city? Do some areas get more/less than their share?

General Distribution of Resources

- Regarding the general distribution of resources in Mobile County, interview participants noted that some public resources may not be evenly distributed, but this is attributable to the urban/rural nature of the county and investments by individual cities. Less developed areas, by their nature, have fewer resources, jobs, employment, and transportation options.
- Some noted that most mainstream resources are located in the City of Mobile.
- Other interviewees commented that public resources are mostly evenly distributed.

Street, Sidewalks, and Transportation

- Some interviewees noted a need more sidewalks, especially in unincorporated areas.
- Interviewees also noted that transportation is a big issue for everyone in Mobile County and that a thoughtful approach to improving connectivity is needed.
- Regarding roads, an interviewees states that the County keeps road paved, and areas that the Commission is aware of areas that need paving or repaving.
- One interviewee noted that resources are not equally, sharing that Black and low-income neighborhoods have worse roads than other areas.

Parks and Recreation Centers

- Some stakeholders said that park maintenance is not equally provided or that there are some areas where park access should be improved.
- Regarding other recreation facilities, stakeholders noted that there are senior centers and schools throughout the county, and neglected schools have been torn down or remodeled.

Fire and Police Services

- Most stakeholders said that fire and police services are evenly distributed, although one person indicated that fire services are more limited in Prichard than in other areas.

Sewer and Water

- Some stakeholders noted that sewer and water systems in some areas are old and need repair/replacement, although this is difficult to do in areas with a low tax base.
- One stakeholder specifically noted that the water infrastructure in Prichard is worse than in other areas, needing repair and leading to high water bills for residents.

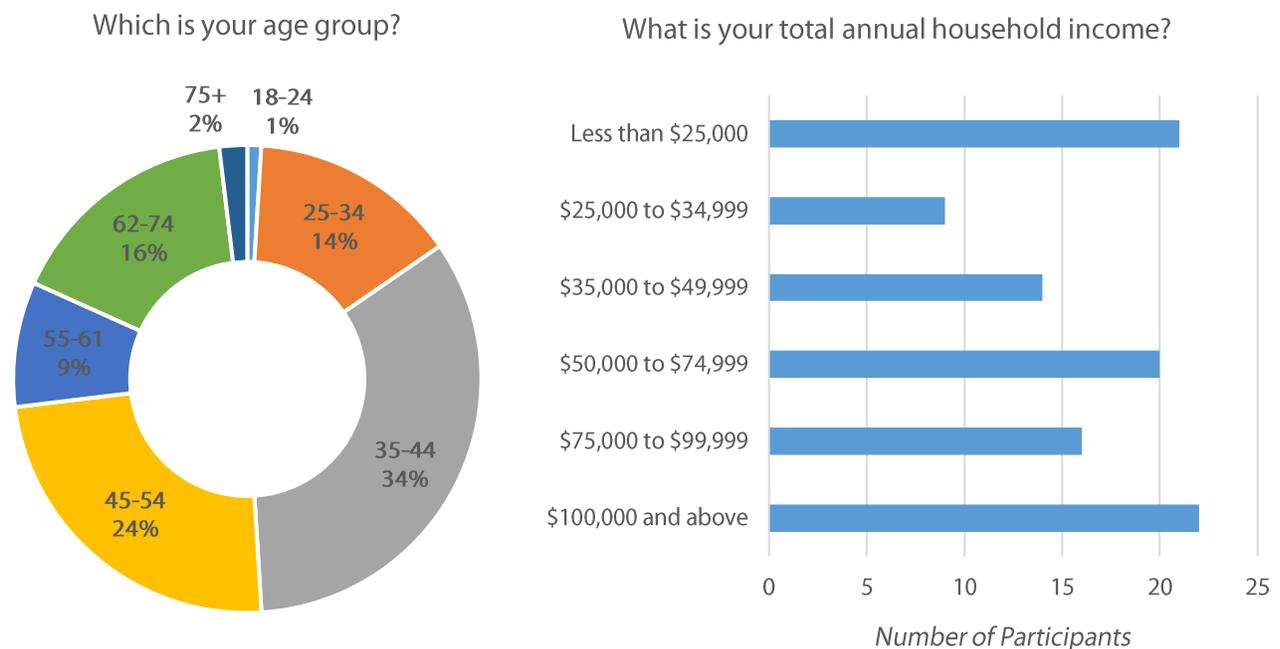
Community Survey

The community survey queried residents and other stakeholders regarding needs related to housing, homelessness, economic/community development, public infrastructure, public facilities, and public services.

PARTICIPANT DEMOGRAPHICS

- Nearly all respondents (97%) live in Mobile County. Fifty-seven percent (57%) live in the City of Mobile, 9% in Prichard, 5% in Semmes, 4% in Chickasaw, and 22% live in other parts of the county including Satsuma, Mount Vernon, Saraland, Bayou La Batre, or unincorporated areas.
- Survey participants reflected all age groups and income levels, as shown below.

FIGURE 1 – AGE GROUP AND ANNUAL HOUSEHOLD INCOME OF SURVEY RESPONDENTS

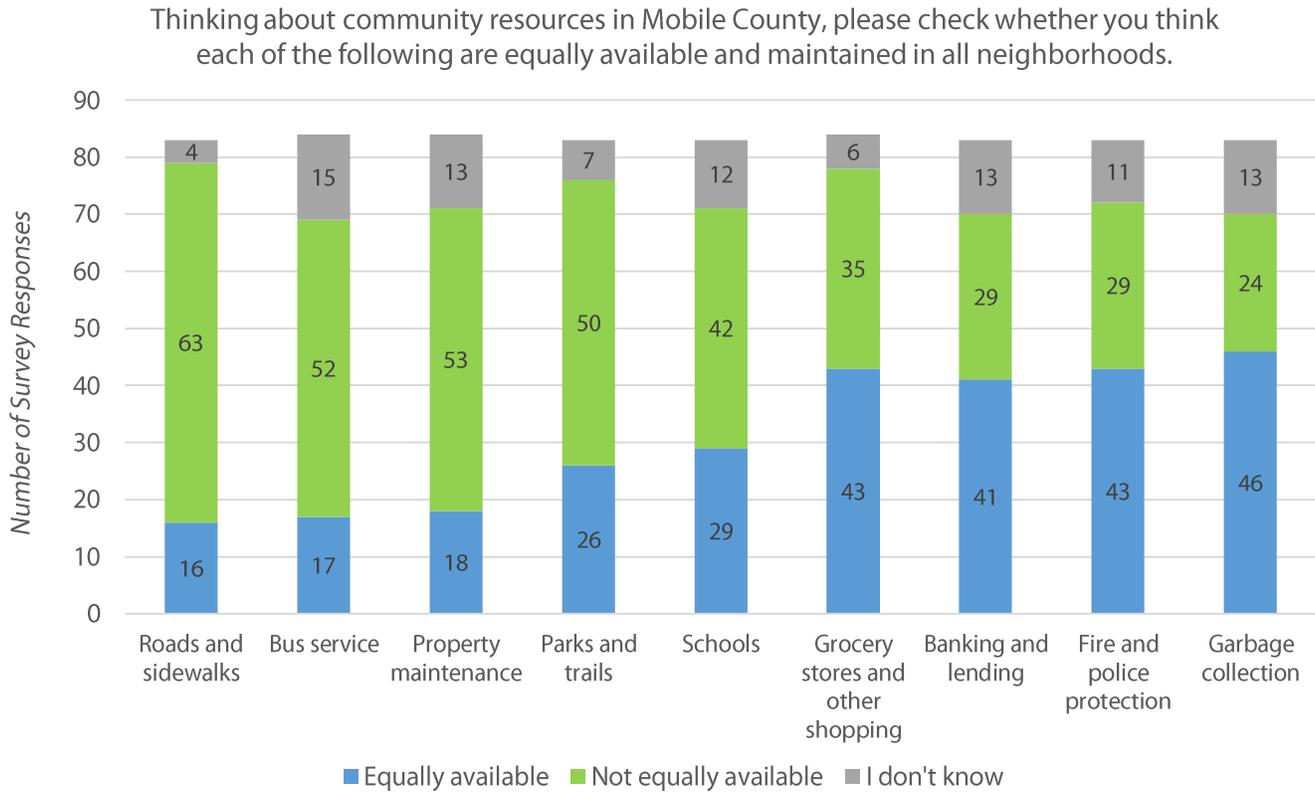


- The majority of survey participants were White (70%) and one-quarter were Black. All racial and ethnic groups were represented except Native American or Alaskan Natives.
- Nearly 20% of all residents reported that a member of their household had a disability.
- Two-thirds of all survey respondents (66%) owned their home, while 28% were renters.
- Most respondents (92%) stated that they did not live in publicly supported housing; 7% did live in publicly supported housing.

RESPONDENTS' THOUGHTS ABOUT THEIR NEIGHBORHOODS

- When asked about the distribution of resources, more than 50% of survey participants said that roads and sidewalks, bus service, property maintenance, parks and trails, and schools are not equally provided.
- Responses for grocery stores and other shopping were split, with 52% of survey takers saying they are equally provided and 42% saying there are not.

FIGURE 2 – AVAILABILITY AND MAINTENANCE OF COMMUNITY RESOURCES IN MOBILE COUNTY FROM THE COMMUNITY SURVEY

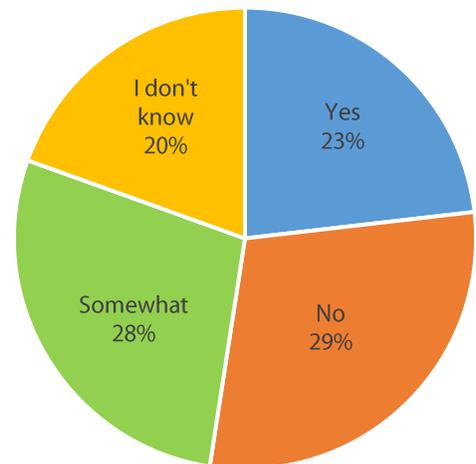


RESPONDENTS’ THOUGHTS ABOUT FAIR HOUSING

- A majority of Mobile County’s survey participants report knowing or somewhat knowing their fair housing rights (56% and 31%, respectively). Thirteen percent (13%) do not know these rights.
- About one-half of participants (52%) know where to file a housing discrimination complaint.
- Six survey respondents stated that they had experienced housing discrimination in Mobile County. Four stated that they had been discriminated against by a landlord or property manager.
- Race/color, religion, gender/sex, disability, and familial status were the most common bases for discrimination.
- Only one respondent reported that they filed a complaint. The remainder stated that they “did not know what good it would do.” One respondent identified that they were afraid of retaliation.

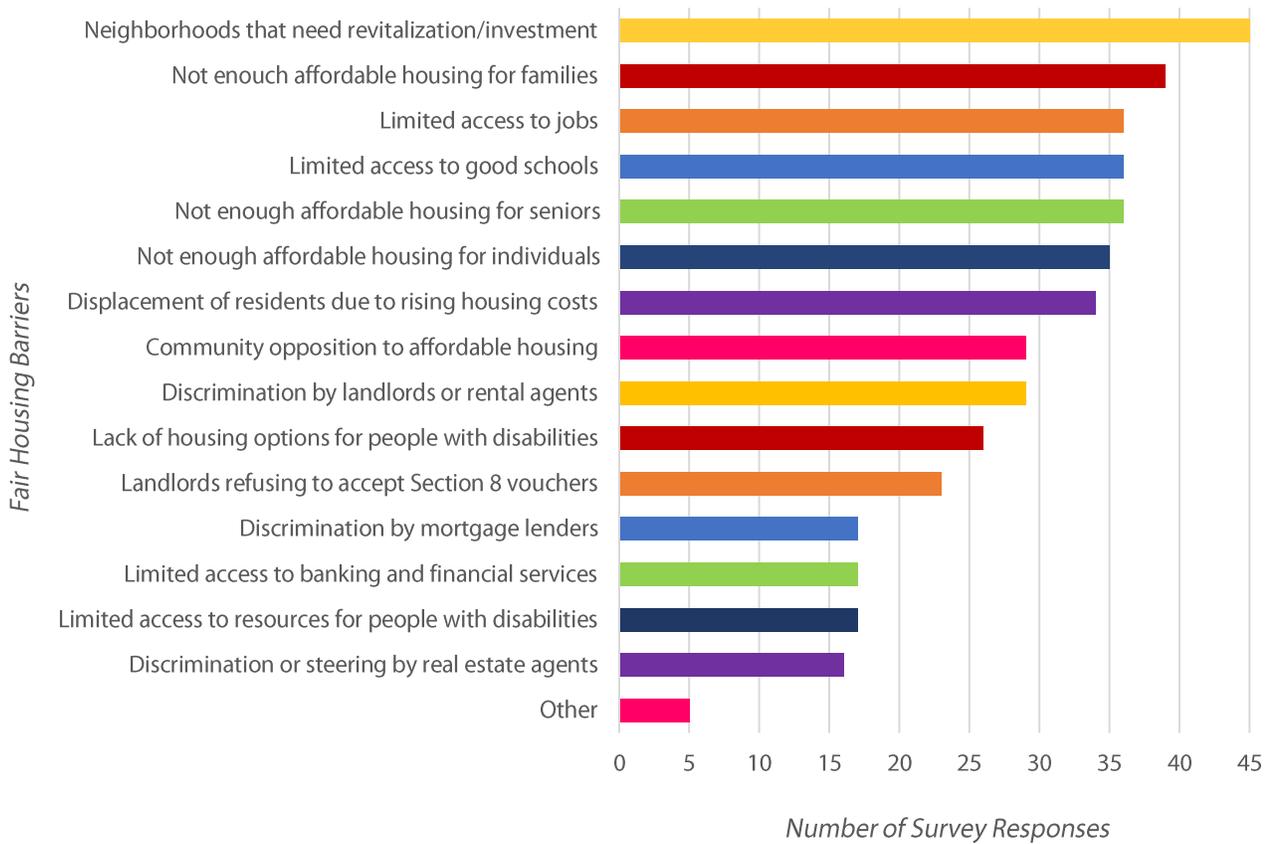
FIGURE 3 – HOUSING DISCRIMINATION IN MOBILE COUNTY FROM THE COMMUNITY SURVEY

Do you believe housing discrimination is an issue in Mobile County?



- Nearly one-half of all respondents believe housing discrimination is a problem or is somewhat a problem in Mobile County (23% and 28%, respectively).
- Asked to select any factors that are barriers to fair housing in Mobile County, respondents most commonly identified the following:
 - Neighborhoods that need revitalization and new investment
 - Not enough affordable housing for families
 - Limited access to jobs
 - Limited access to good schools

FIGURE 4 – FAIR HOUSING BARRIERS IN MOBILE COUNTY FROM THE COMMUNITY SURVEY



CHAPTER 3.

SOCIOECONOMIC PROFILE

According to data provided through HUD’s Affirmatively Furthering Fair Housing tool, Mobile County’s population is estimated at about 216,643 residents, which includes incorporated municipalities (with the exception of Dauphin Island and Mobile) and unincorporated areas of the county. Together Mobile County, Dauphin Island, and the City of Mobile comprise the Mobile Region and have an estimated 412,992 residents. Table 1 provides an overview of key demographic indicators for Mobile County and the Mobile Region, while Table 2 shows demographic trends since 1990.

DEMOGRAPHIC PROFILE

Race and Ethnicity

The two largest racial groups in Mobile County, non-Hispanic White and Black populations, account for 92.9% of the total population. Non-Hispanic White residents make up the majority of the population (71.6%) while just over one-fifth (21.3%) of all residents are non-Hispanic Black or African American. The Hispanic population is the third largest racial or ethnic group representing only 2.4% of the total population. No other racial or ethnic group makes up more than 2% of the county’s population. The Asian or Pacific Islander population comprise 1.9% of the population while Native American and mixed-race populations each comprise 1.4% of the population.



NON-HISPANIC WHITE RESIDENTS MAKE UP ABOUT 70% OF PEOPLE IN MOBILE COUNTY AND NON-HISPANIC BLACK RESIDENTS COMPRISE ABOUT 20%.

IN COMPARISON, THE REGION’S POPULATION IS ABOUT 60% WHITE AND 35% BLACK.

Since 1990, the county has become slightly more diverse. All groups increased in absolute number, however, White and Black populations decreased in proportion as Hispanic, Asian, and Native American population shares grew. White residents experienced a 19% growth in number but a 3.0 percentage point decline in population share between 1990 and 2010. The Black population grew at a similar rate but saw only a 1.3 percentage point decrease in share. Hispanic residents nearly quintupled in population between 1990 and 2010 to become the third largest racial or ethnic group. Both Asian and Native American populations grew by roughly three times in size and slightly more than a percentage point in population share during the same time period.

There are notable differences between the proportion of White and Black populations in the Mobile Region compared to Mobile County figures. The share of White residents (59.1%) in the region is 12.5 percentage points less than the county while Black residents account for a third of the region’s population, a significantly larger than in the county. The shares of Hispanic (2.4%) and Asian (1.9%) populations in the region are identical to the county.

The county and region saw similar trends with respect to racial and ethnic population changes since 1990, however, the region's White population was the only racial group to shrink in share of total population (from 66.7% in 1990). All other groups saw increases in both number and population share. Most notable growth was in the Hispanic population, which added 6,825 residents (a 219% growth rate) since 1990. Asian and Native American populations also grew significantly at a rate of 165% and 176%, respectively.

National Origin

Foreign-born residents comprise about 2.6% of Mobile County after tripling in size since 1990, when just 1.0% of the county population was born outside of the U.S. In the Mobile Region, foreign-born residents are 3.2% of the population, up from 1.6% in 1990. Between 1990 and 2010, the growth rate of foreign-born residents was significantly higher in the county even though the population has remained larger in the region.

In both county and region, the most common country of origin for the foreign-born population is Mexico, followed by Vietnam. The third largest group of foreign-born residents in the county and the region originate from Cambodia and India, respectively. Laos, Germany, Canada, Cuba, China, and Honduras are also common countries of origin.

Limited English Proficiency (LEP)

Population dynamics for residents with limited English Proficiency (LEP) often resemble those of foreign-born residents in a community. Both foreign-born and LEP populations residing in Mobile County experienced growth since 1990, however, the LEP population grew at a slower rate (111%) compared to the foreign-born populations (223%). The LEP population in both the county and the region roughly doubled in size and increased 0.8 percentage points in share between 1990 and 2010.

The primary languages of the LEP population in Mobile County and the Mobile Region are closely associated with the national origin of foreign-born residents. The largest LEP population in both the county and the region speak Spanish and account for 39% and 47% of the LEP population, respectively. Around 13% of both the county and region's LEP population speak Vietnamese. The number of Cambodian-speaking residents is the same in the county and the region which indicates that all Cambodian-speaking LEP residents live in Mobile County. Cambodian-speaking LEP residents comprise 7% and 5% of the LEP population in the county and region, respectively. Laotian, Arabic, Chinese, German, and Thai are other common languages spoken by the LEP population in Mobile County and the region.

Disability

The population with disabilities in Mobile County and the Mobile Region have nearly identical distribution patterns by disability type. The most common disability type is difficulty with ambulatory movement, comprising around 10% population in both the county and the region. Disabilities that typically require more extensive assistance such as difficulties with independent living or self-care make up around 6% in both the county and the region. About 6% of the county and region's population have a cognitive difficulty and sensory disabilities such as hearing and vision difficulties impact about 3-4% of the population in both county and region.

Age

The age distribution in Mobile County and the Mobile Region are similar and follow normal distribution patterns. The majority of the population (62%) in both the county and the region are between the ages of 18 and 64. About a quarter of the county's population is under age 18 while seniors over the age of 65 comprise 12.1% of the population. Although all age groups experienced growth, population shares of age groups under age 18 and over age 65 fluctuated between 1990 and 2010. The population under age 18 declined by 4.9 percentage points while the share of residents over age 65 increased by 2.4 percentage points.

Population shares of age groups in the Mobile Region are almost identical to those in the county, however, there were less fluctuations in share sizes between 1990 and 2010. The region maintained a distribution that is roughly 25-28% under age 18, 60-62% between the ages of 18 and 64, and 12-13% over the age of 65. The youth population in the region was the only age group to decline during this time period.

Sex

Female residents make up a slight majority of the population in Mobile County (51.1%) and the Mobile Region (52.0%). There have not been significant fluctuations in these shares since 1990.

Family Type

In Mobile County, 43.4% of family households have children. The share of families with children is nearly identical in the Mobile Region (43.3%). The county experienced a small decline in the number of families with children and a 10.0 percentage point decline in the share between 1990 and 2010. The number of families with children declined more significantly in the region, however, the change in share was less compared to the county (7.6 percentage points).

TABLE 1 – DEMOGRAPHIC OVERVIEW

Demographic Indicator	Mobile County		Mobile Region			
	#	%	#	%		
Race/Ethnicity						
Non-Hispanic						
White	155,115	71.6%	243,904	59.1%		
Black	46,168	21.3%	142,272	34.5%		
Asian or Pacific Islander	4,164	1.9%	7,664	1.9%		
Native American	2,928	1.4%	3,541	0.9%		
Two or More Races	2,811	1.4%	5,247	0.9%		
Other	208	0.1%	428	0.1%		
Hispanic	5,249	2.4%	9,936	2.4%		
National Origin						
#1 country of origin	Mexico	1,239	0.6%	Mexico	2,141	0.6%
#2 country of origin	Vietnam	1,003	0.5%	Vietnam	1,556	0.4%
#3 country of origin	Cambodia	464	0.2%	India	844	0.2%
#4 country of origin	India	377	0.2%	Germany	557	0.1%
#5 country of origin	Laos	329	0.2%	Cambodia	478	0.1%
#6 country of origin	Canada	287	0.1%	China (excl. Hong Kong & Taiwan)	449	0.1%
#7 country of origin	Cuba	279	0.1%	Philippines	440	0.1%
#8 country of origin	Germany	263	0.1%	Cuba	438	0.1%
#9 country of origin	Honduras	187	0.1%	Honduras	427	0.1%
#10 country of origin	Guatemala	174	0.1%	Canada	340	0.1%
Limited English Proficiency (LEP) Language						
#1 LEP Language	Spanish	2,218	12.1%	Spanish	3,882	1.0%
#2 LEP Language	Vietnamese	735	2.0%	Vietnamese	1,146	0.3%
#3 LEP Language	Cambodian	420	0.8%	Cambodian	420	0.1%
#4 LEP Language	Laotian	180	0.7%	Arabic	383	0.1%

TABLE 1 – DEMOGRAPHIC OVERVIEW (CONTINUED)

Demographic Indicator	Mobile County		Mobile Region			
	#	%	#	%		
Limited English Proficiency (LEP) Language (continued)						
#5 LEP Language	German	105	0.1%	Chinese	279	0.1%
#6 LEP Language	Thai	53	0.0%	German	214	0.1%
#7 LEP Language	Gujarati	47	0.0%	Other Asian language	182	0.1%
#8 LEP Language	Persian	34	0.0%	Laotian	180	0.1%
#9 LEP Language	French	32	0.0%	African language	179	0.1%
#10 LEP Language	Italian	25	0.0%	Tagalog	160	0.0%
Disability Type						
Hearing difficulty		9,691	4.8%		16,122	4.3%
Vision difficulty		6,415	3.2%		12,312	3.3%
Cognitive difficulty		13,283	6.6%		24,041	6.4%
Ambulatory difficulty		9,691	10.2%		16,122	9.9%
Self-care difficulty		6,757	3.4%		13,075	3.5%
Independent living difficulty		13,016	6.5%		23,654	6.3%
Sex						
Male		105,911	48.9%		198,374	48.0%
Female		110,732	51.1%		214,618	52.0%
Age						
Under 18		56,248	26.0%		103,581	25.1%
18-64		134,117	61.9%		256,090	62.0%
65+		26,278	12.1%		53,321	12.9%
Family Type						
Families with children		25,735	43.4%		46,952	43.3%

Note: All % represent a share of the total population within the jurisdiction or region, except family type, which is out of total families. The most populous places of birth and languages at the city and county levels may not be the same and are thus labeled separately.

Data Sources: Decennial Census; ACS

TABLE 2 – DEMOGRAPHIC TRENDS

Demographic Indicator	1990		2000		2010	
	#	%	#	%	#	%
Mobile County						
Race/Ethnicity						
White, Non-Hispanic	130,815	74.6%	145,071	74.7%	155,115	71.6%
Black, Non-Hispanic	40,620	23.2%	41,062	21.1%	47,328	21.9%
Hispanic	1,105	0.6%	1,953	1.0%	5,249	2.4%
Asian or Pacific Islander, Non-Hispanic	1,310	0.8%	2,834	1.5%	4,661	2.2%
Native American, Non-Hispanic	1,401	0.8%	3,031	1.6%	4,017	1.9%
National Origin						
Foreign-born	1,765	1.0%	3,174	1.6%	5,706	2.6%
Limited English Proficiency						
Limited English proficiency	1,818	1.0%	2,537	1.3%	3,827	1.8%
Sex						
Male	85,380	48.7%	94,213	48.5%	105,911	48.9%
Female	90,083	51.3%	100,074	51.5%	110,732	51.1%
Age						
Under 18	54,146	30.9%	56,884	29.3%	56,248	26.0%
18-64	104,340	59.5%	117,574	60.5%	134,117	61.9%
65+	16,977	9.7%	19,829	10.2%	26,278	12.1%
Family Type						
Families with children	25,807	53.4%	21,597	48.8%	25,735	43.4%
Mobile Region						
Race/Ethnicity						
White, Non-Hispanic	252,548	66.7%	249,744	62.5%	243,904	59.1%
Black, Non-Hispanic	117,448	31.0%	134,133	33.5%	144,854	35.1%
Hispanic	3,111	0.8%	4,870	1.2%	9,936	2.4%
Asian or Pacific Islander, Non-Hispanic	3,267	0.9%	6,329	1.6%	8,666	2.1%
Native American, Non-Hispanic	1,840	0.5%	3,970	1.0%	5,085	1.2%
National Origin						
Foreign-born	5,993	1.6%	9,133	2.3%	13,024	3.2%
Limited English Proficiency						
Limited English proficiency	4,516	1.2%	6,393	1.6%	8,312	2.0%
Sex						
Male	179,614	47.4%	189,963	47.5%	198,374	48.0%
Female	198,966	52.6%	209,880	52.5%	214,618	52.0%

TABLE 2 – DEMOGRAPHIC TRENDS (CONTINUED)

Demographic Indicator	1990		2000		2010	
	#	%	#	%	#	%
Mobile Region (continued)						
Age						
Under 18	107,799	28.5%	112,779	28.2%	103,581	25.1%
18-64	226,321	59.8%	239,011	59.8%	256,090	62.0%
65+	44,460	11.7%	48,053	12.0%	53,321	12.9%
Family Type						
Families with children	51,859	50.9%	44,863	48.3%	46,952	43.3%

Note: All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

Data Sources: Decennial Census; ACS

RACIALLY AND ETHNICALLY CONCENTRATED AREAS OF POVERTY

This study uses a methodology developed by HUD that combines demographic and economic indicators to identify racially or ethnically concentrated areas of poverty (RECAPs). These areas are defined as census tracts that have an individual poverty rate of 40% or more (or an individual poverty rate that is at least 3 times that of the tract average for the metropolitan area, whichever is lower) and a non-White population of 50% or more. Using a metric that combines demographic and economic indicators helps to identify a jurisdictions’ most vulnerable communities.

The racial and ethnic composition of neighborhoods with concentrations of poverty is disproportionate relative to the U.S. population overall. According to the U.S. Department of Health and Human Services, Black and Hispanic populations comprise nearly 80% of the population living in areas of concentrated poverty in metropolitan areas, but only account for 42.6% of the total poverty population in the U.S.⁴ Overrepresentation of these groups in areas of concentrated poverty can exacerbate disparities related to safety, employment, access to jobs and quality education, and conditions that lead to poor health.

Identification of RECAPs is significant in determining priority areas for reinvestment and services to ameliorate conditions that negatively impact RECAP residents and the larger region. Since 2000, the prevalence of concentrated poverty has expanded by nearly 75% in both population and number of neighborhoods. The majority of concentration of poverty is within the largest metro areas, but suburban regions have experienced the fastest growth rate.⁵

⁴ United States, Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. “Overview of Community Characteristics in Areas with Concentrated Poverty.” ASPE Issue Brief, May 2014, https://aspe.hhs.gov/system/files/pdf/40651/rb_concentratedpoverty.pdf.

⁵ Kneebone, Elizabeth. “The Growth and Spread of Concentrated Poverty, 2000 to 2008-2012.” *The Brookings Institution*, 29 July 2016, www.brookings.edu/interactives/the-growth-and-spread-of-concentrated-poverty-2000-to-2008-2012/.

There are seven census tracts in Mobile County that meets HUD’s RECAP definition. These RECAP census tracts are concentrated in the City of Prichard in close proximity to RECAP census tracts in the City of Mobile. There are an estimated 10,365 residents living in RECAP census tracts where the overwhelming majority (90.0%) are Black or African American. White residents represent the second largest racial group in the county’s RECAP tracts by comprising 7.9% of the population. All other racial and ethnic groups comprise less than 1% of the RECAP population.

Foreign-born residents constitute a minor share of RECAP population. According to American Community Survey and HUD estimates, residents originating from Mexico comprise the largest foreign-born population in RECAP census tracts with just 24 persons (or a 0.2% share of the RECAP population). The proportion of families with children in the county’s RECAP census tracts (40.2%) is slightly less compared to countywide figures (43.4%).

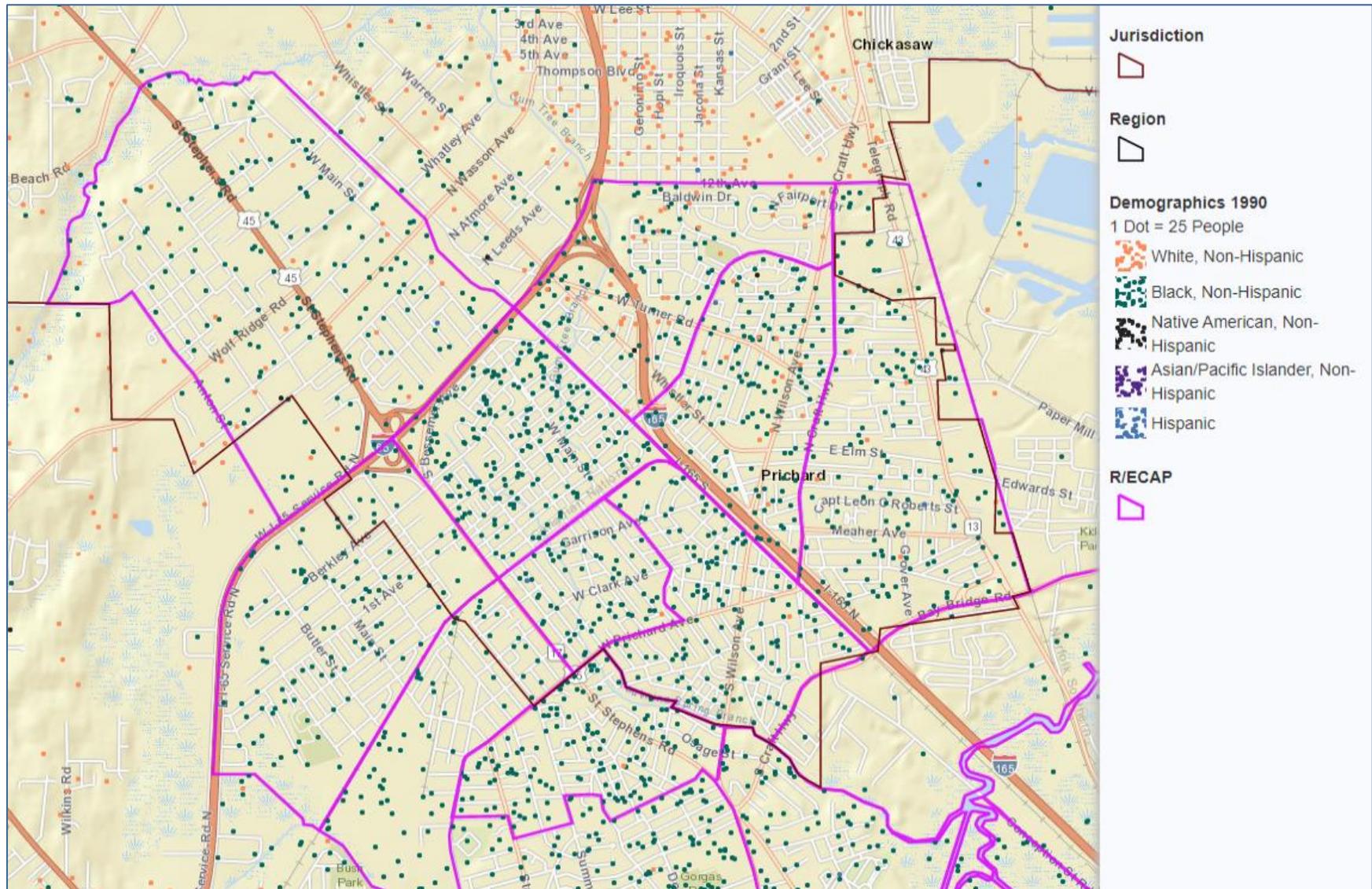
Figures 5 through 7 map Mobile County’s RECAP census tracts in 1990, 2000, and 2010, showing little change over the decades, other than the tract to the west of I-65. This area was considered a RECAP in 1990 but not in 2000 or 2010.

TABLE 3 – RECAP CENSUS TRACTS IN MOBILE COUNTY AND THE MOBILE REGION

Demographic Indicator	Mobile County RECAP Tracts		Mobile Region RECAP Tracts			
	#	%	#	%		
Race/Ethnicity						
Total Population in RECAPs	10,365	-	37,482	-		
White, Non-Hispanic	820	7.9%	2,694	7.2%		
Black or African American, Non-Hispanic	9,330	90.0%	34,008	90.7%		
Hispanic	93	0.9%	328	0.9%		
Asian or Pacific Islander, Non-Hispanic	14	0.1%	68	0.2%		
Native American, Non-Hispanic	35	0.3%	85	0.2%		
Other, Non-Hispanic	2	0.0%	14	0.0%		
National Origin						
Total Population in RECAPs	10,365	-	37,482	-		
#1 country of origin	Mexico	24	0.2%	Mexico	51	0.1%
#2 country of origin	West Indies	19	0.2%	Honduras	36	0.1%
#3 country of origin	Philippines	14	0.1%	Jamaica	19	0.1%
Family Type						
Total Families in RECAPs	2,570	-	8,826	-		
Families with Children	1,032	40.2%	3,824	43.3%		

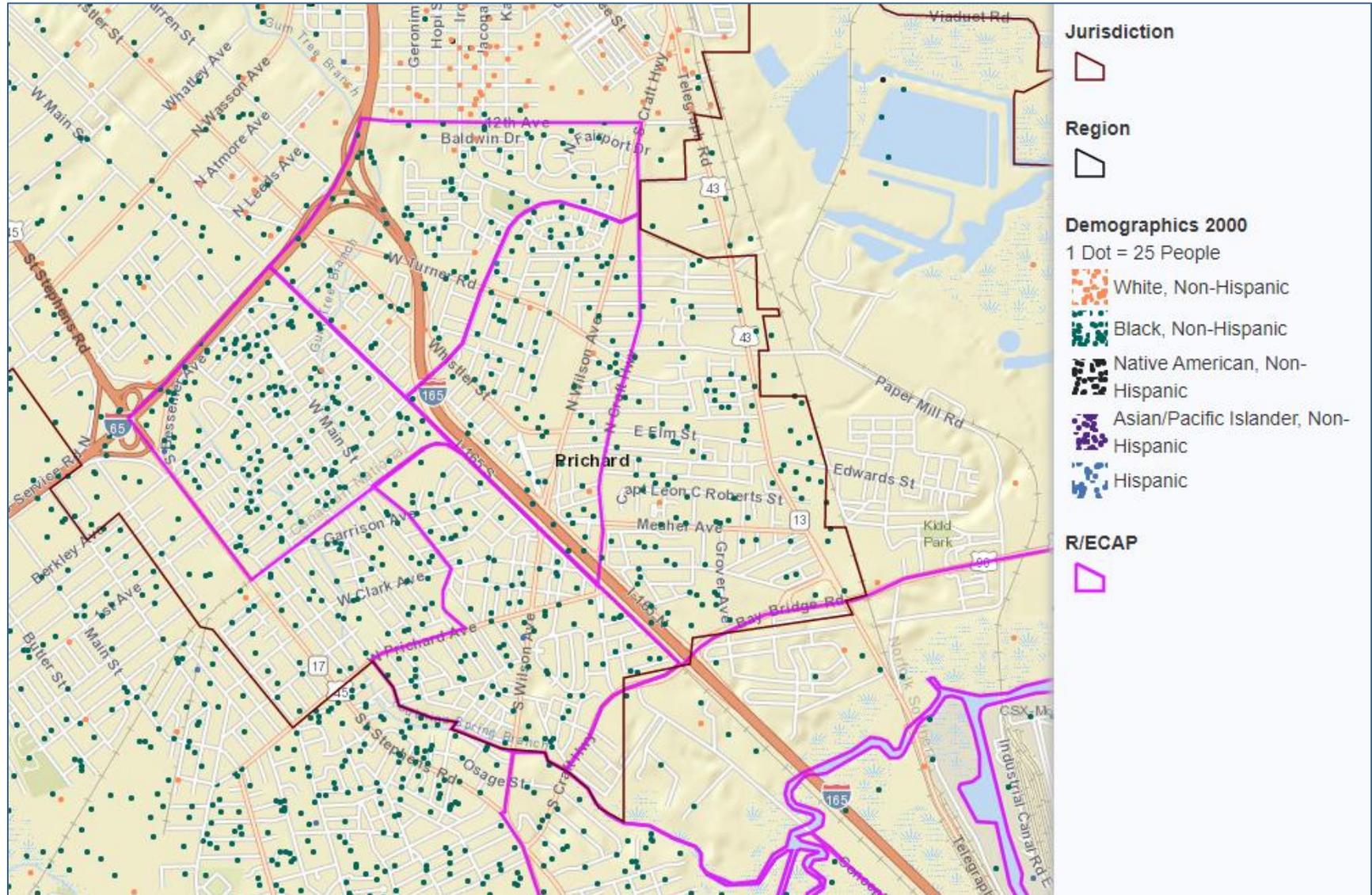
Data Sources: Decennial Census; ACS

FIGURE 5 – MOBILE COUNTY RECAP CENSUS TRACTS, 1990



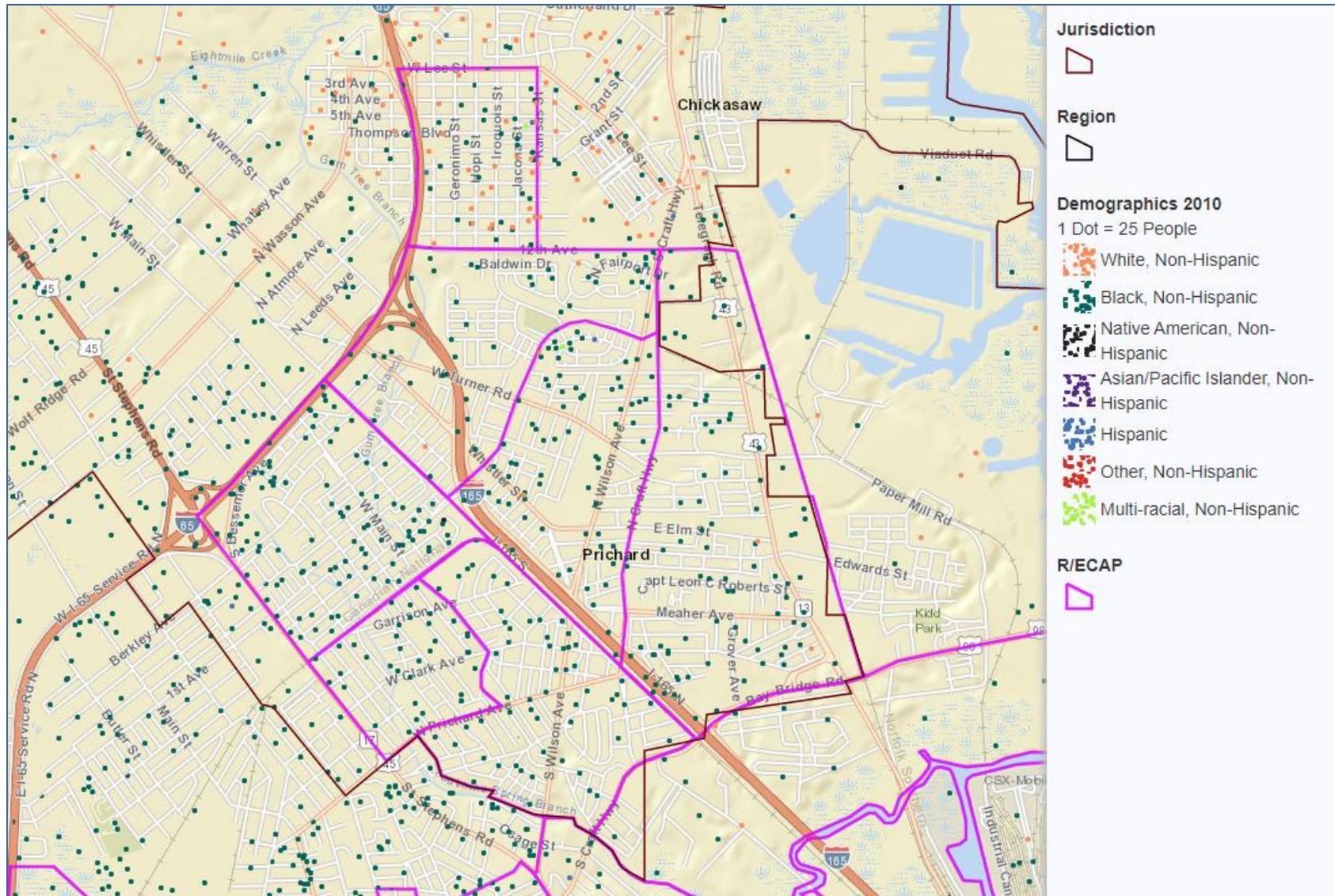
Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 6 – MOBILE COUNTY RECAP CENSUS TRACTS, 2000



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 7 – MOBILE COUNTY RECAP CENSUS TRACTS, 2010



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

CHAPTER 4.

SEGREGATION AND INTEGRATION

Communities experience varying levels of segregation between different racial, ethnic, and socioeconomic groups. High levels of residential segregation often lead to conditions that exacerbate inequalities among population groups within a community. Increased concentrations of poverty and unequal access to jobs, education, and other services are some of the consequences of high residential segregation.⁶

THERE IS MODERATE SEGREGATION BETWEEN BLACK AND WHITE RESIDENTS IN MOBILE COUNTY. SEGREGATION LEVELS ARE CONSIDERABLY HIGHER IN THE REGION.

Federal housing policies and discriminatory mortgage lending practices prior to the Fair Housing Act of 1968 not only encouraged segregation, but mandated restrictions based on race in specific neighborhoods. The Fair Housing Act of 1968 outlawed discriminatory housing practices but did little to address the existing segregation and inequalities. Other federal housing policies and programs, like Section 8 and HOPE VI, have been implemented in an effort to ameliorate the negative effects of residential segregation and reduce concentrations of poverty. Despite these efforts, the repercussions of the discriminatory policies and practices continue to have a significant impact on residential patterns today.

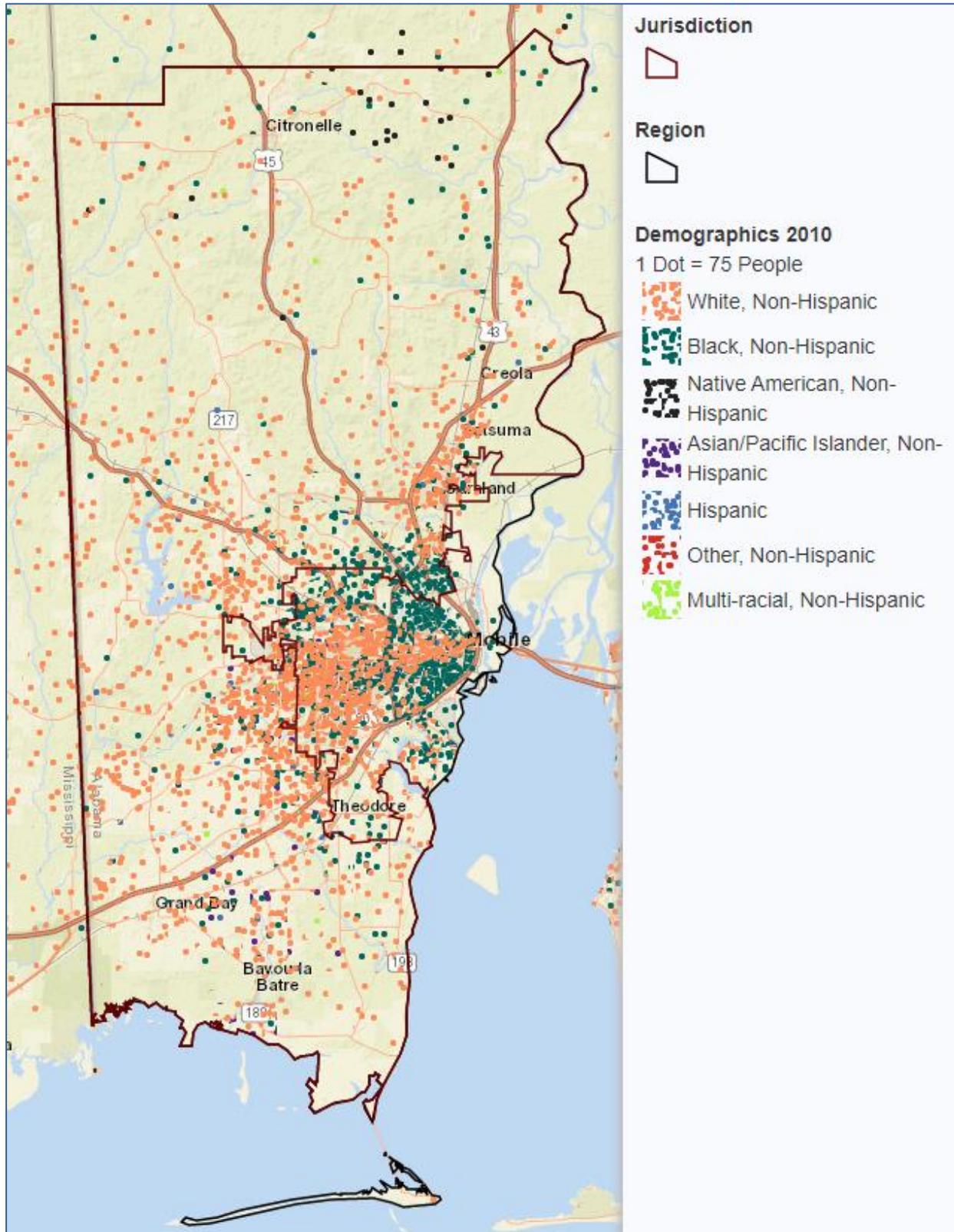
RACE AND ETHNICITY

As shown in Figure 8, the central portion of the county and neighborhoods bordering the City of Mobile are more densely populated compared to the northern and southern sections of the county. There are visual patterns of segregation by race and ethnicity according to the spatial distribution shown in Figure 8. The map shows strong clusters of Black residents in the City of Prichard and in parts of the Eight Mile neighborhood in Mobile County. Patterns of segregation between Black and White residents are very apparent in the City of Mobile where the population density is highest in the region.

There is also a visible concentration of Native American and Black residents in the northeast corner of the county, which is home to the MOWA Choctaw Indians, a state-recognized tribe with a reservation located in both Mobile County and the adjacent Washington County. The majority of Asian residents are loosely concentrated in the southern half of the county in Grand Bay, Irvington, and Bayou La Batre. The county's Hispanic population is also located mostly in the southern half of the county but are scattered over a wider geographic area. Outside of the aforementioned patterns and areas, the population density and distribution are predominantly White and relatively uniform.

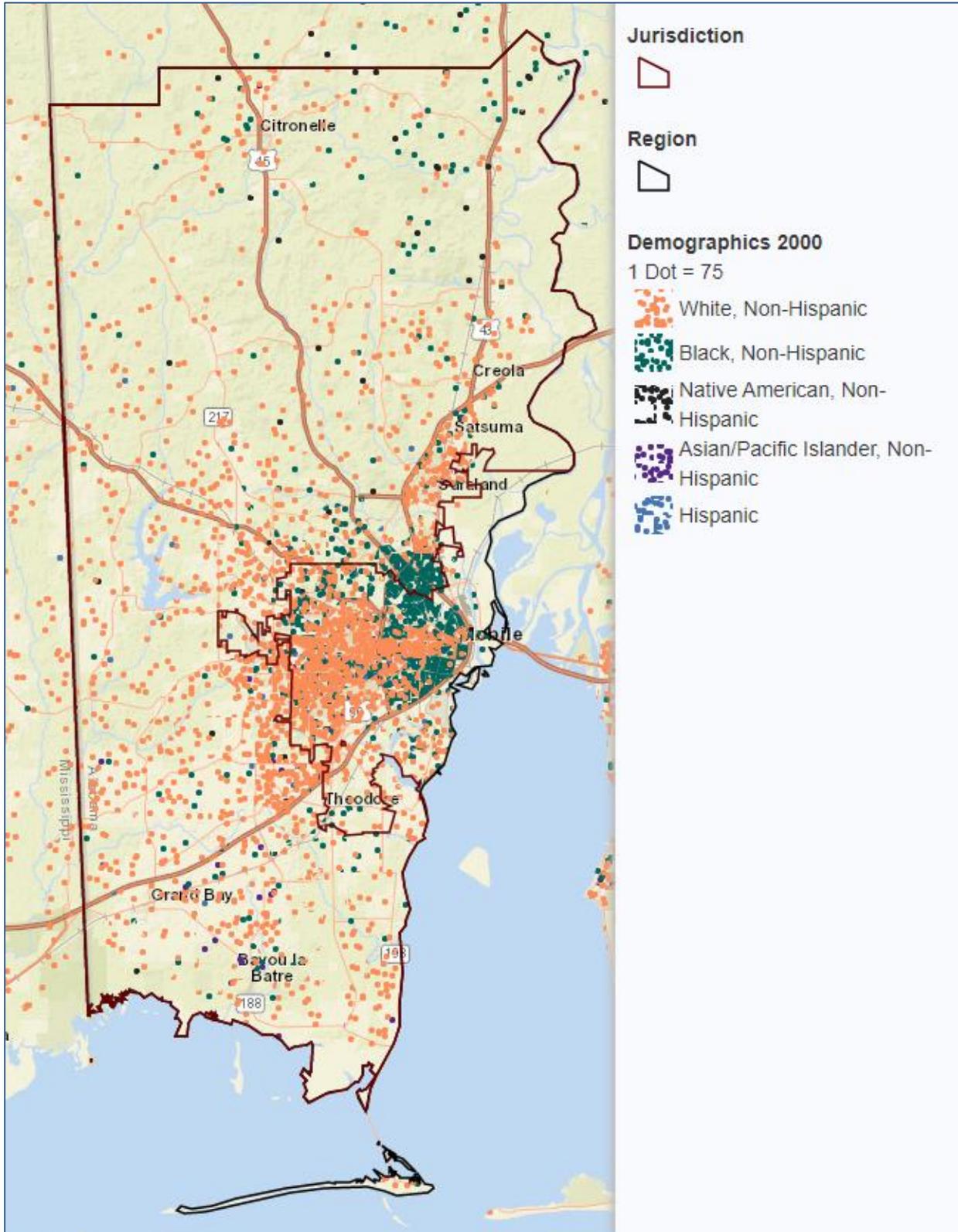
⁶ Massey, D. (1990). American Apartheid: Segregation and the Making of the Underclass. *American Journal of Sociology*, 96(2), 329-357. Retrieved from <http://www.jstor.org/stable/2781105>

FIGURE 8 – POPULATION BY RACE AND ETHNICITY IN MOBILE COUNTY, 2010



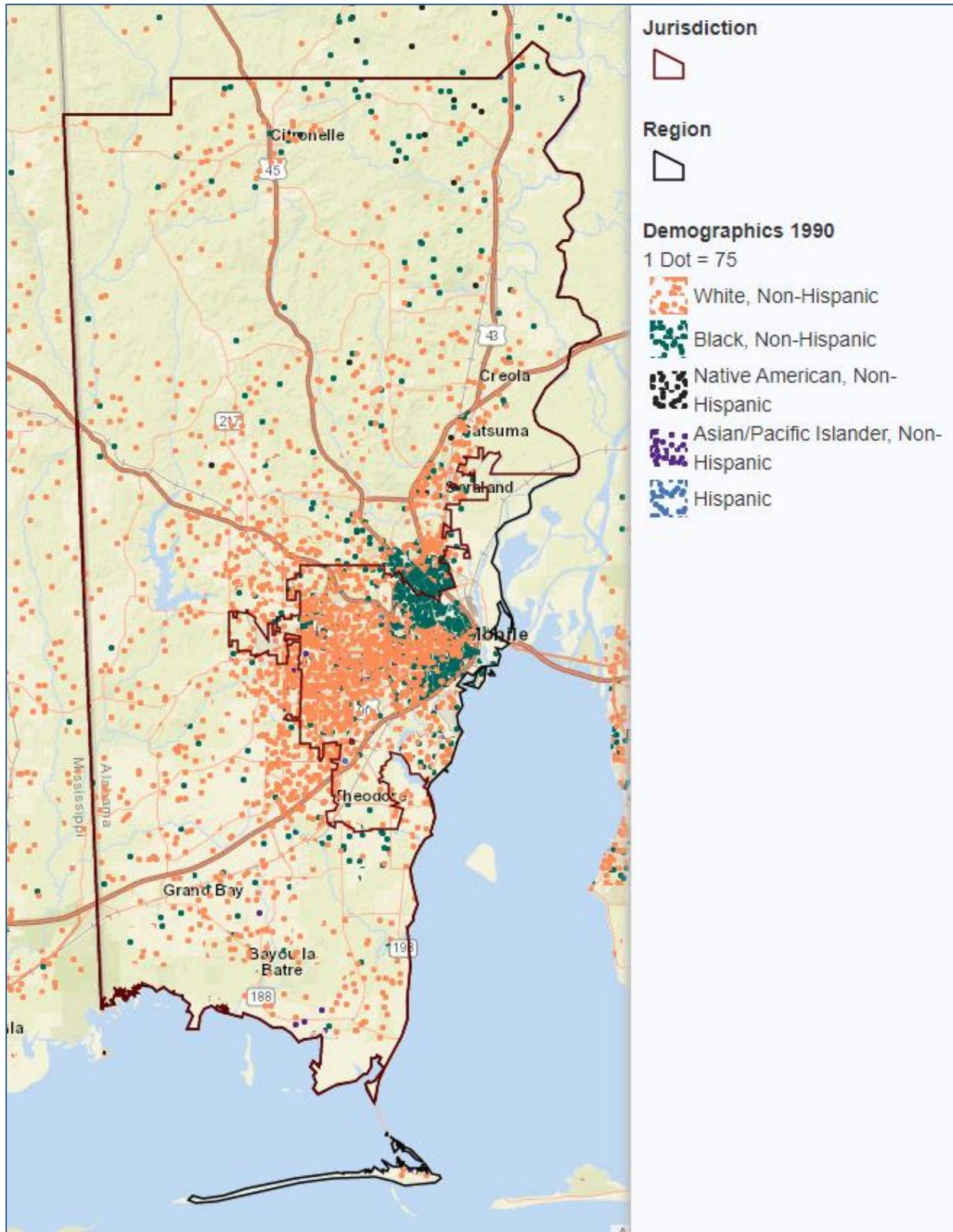
Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 9 – POPULATION BY RACE AND ETHNICITY IN MOBILE COUNTY, 2000



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 10 – POPULATION BY RACE AND ETHNICITY IN MOBILE COUNTY, 1990



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

Residential patterns of racial and ethnic groups have remained largely the same since 1990. Comparing Figures 8 and 10 show a general expansion of the population into areas that were sparsely populated in 1990 with no indication of significant change in racial or ethnic composition of specific areas in the county.

SEGREGATION LEVELS

In addition to visualizing the racial and ethnic composition of the area with the preceding maps, this study also uses a statistical analysis – referred to as dissimilarity – to evaluate how residential patterns vary by race and ethnicity, and how these patterns have changed since 1990. The Dissimilarity Index (DI) indicates the degree to two groups living in a region are similarly geographically distributed. Segregation is lowest when the geographic patterns of each group are the same. For example, segregation between two groups in a city or county is minimized when the population distribution by census tract of the first group matches that of the second. Segregation is highest when no members of the two groups occupy a common census tract. The proportion of the minority population group can be small and still not segregated if evenly spread among tracts or block groups.

Evenness is not measured in an absolute sense but is scaled relative to the other group. Dissimilarity Index values range from 0 (complete integration) to 100 (complete segregation). HUD identifies a DI value below 40 as low segregation, a value between 40 and 54 as moderate segregation, and a value of 55 or higher as high segregation. The DI represents the proportion of one group that would have to change their area of residence to match the distribution of the other.

The table below shares the dissimilarity indices for four pairings in Mobile County and the Mobile Region. This table presents values for 1990, 2000, and 2010, all calculated using census tracts as the area of measurement.

TABLE 4 – RACIAL AND ETHNIC DISSIMILARITY TRENDS

Race/Ethnicity	Mobile County			Mobile Region		
	1990	2000	2010	1990	2000	2010
Non-White/White	62.8	54.1	40.5	64.9	58.7	52.7
Black/White	67.4	60.9	49.0	68.8	63.7	59.0
Hispanic/White	22.6	15.9	20.7	26.0	26.7	24.9
Asian or Pacific Islander/White	60.7	52.7	47.8	52.6	46.0	42.4

Data Sources: Decennial Census

The Dissimilarity Indices calculated for each pairing in 2010 show moderate levels of segregation for Black/White and Asian or Pacific Islander/White pairings in Mobile County. The highest DI value of 49.0 was calculated for the African American/White pairing. The Asian or Pacific Islander/White pairing resulted in a DI of 47.8, the second highest of all pairings. DIs for these two pairings declined significantly from 1990 to 2010, moving from high to moderate levels of segregation. DI values for the Hispanic/White pairing have remained significantly lower than all other pairings between 1990 and 2010, however, it was

the only pairing to see an increase in value between 2000 and 2010. The DI value for the non-White/White pairing barely exceeds the threshold that indicates a moderate level of segregation.

Segregation levels for all pairings are higher in the Mobile Region compared to Mobile County. The DI calculated for the Black/White pairing (59.0) was the only pairing to exceed the threshold for high segregation even after a 10-point decline in value from 1990. The considerable difference in shares of Black and White populations between the City of Mobile and Mobile County contribute to this high level of segregation.

The DI for the Mobile Region's Asian or Pacific Islander/White pairing also experienced a 10-point decrease between 1990 and 2010, however, the value remained within moderate segregation levels. The DI for the Hispanic/White pairing in the region is the lowest by a significant margin and only experienced a small decline (1.1 points) in value. The non-White/White pairing for the region indicates a moderate level of segregation, however, the value is more than 12 points higher compared to the county.

NATIONAL ORIGIN AND LIMITED ENGLISH PROFICIENCY POPULATION

Settlement patterns of immigrants significantly impact the composition and landscape of communities across the United States. Large central cities have the largest population of foreign-born residents, but suburban areas are experiencing rapid growth of foreign-born populations recently.⁷ Clusters of immigrants of the same ethnicity form for a variety of reasons. Social capital in the form of kinship ties, social network connections, and shared cultural experiences often draw new immigrants to existing communities. Settling in neighborhoods with an abundance of social capital is less financially burdensome for immigrants and provides opportunities to accumulate financial capital through employment and other resources that would otherwise be unattainable.⁸

Populations with limited English proficiency (LEP) are typically composed of foreign-born residents that originate from countries where English is not the primary language, however, a substantial portion (19%) of the national LEP population is born in the United States. Nationally, the LEP population has lower levels of education and is more likely to live in poverty compared to the English proficient population.⁹ Recent studies have also found that areas with high concentrations of LEP residents have lower rates of homeownership.¹⁰

Communities of people sharing the same ethnicity and informal networks are able to provide some resources and opportunities, but numerous barriers and limited financial capital influence residential patterns of foreign-born and LEP populations.

⁷ James, F., Romine, J., & Zwanzig, P. (1998). The Effects of Immigration on Urban Communities. *Cityscape*, 3(3), 171-192.

⁸ Massey, D. (1999). Why Does Immigration Occur?: A Theoretical Synthesis. In Hirschman C., Kasinitz P., & DeWind J. (Eds.), *Handbook of International Migration, The: The American Experience* (pp. 34-52). Russell Sage Foundation.

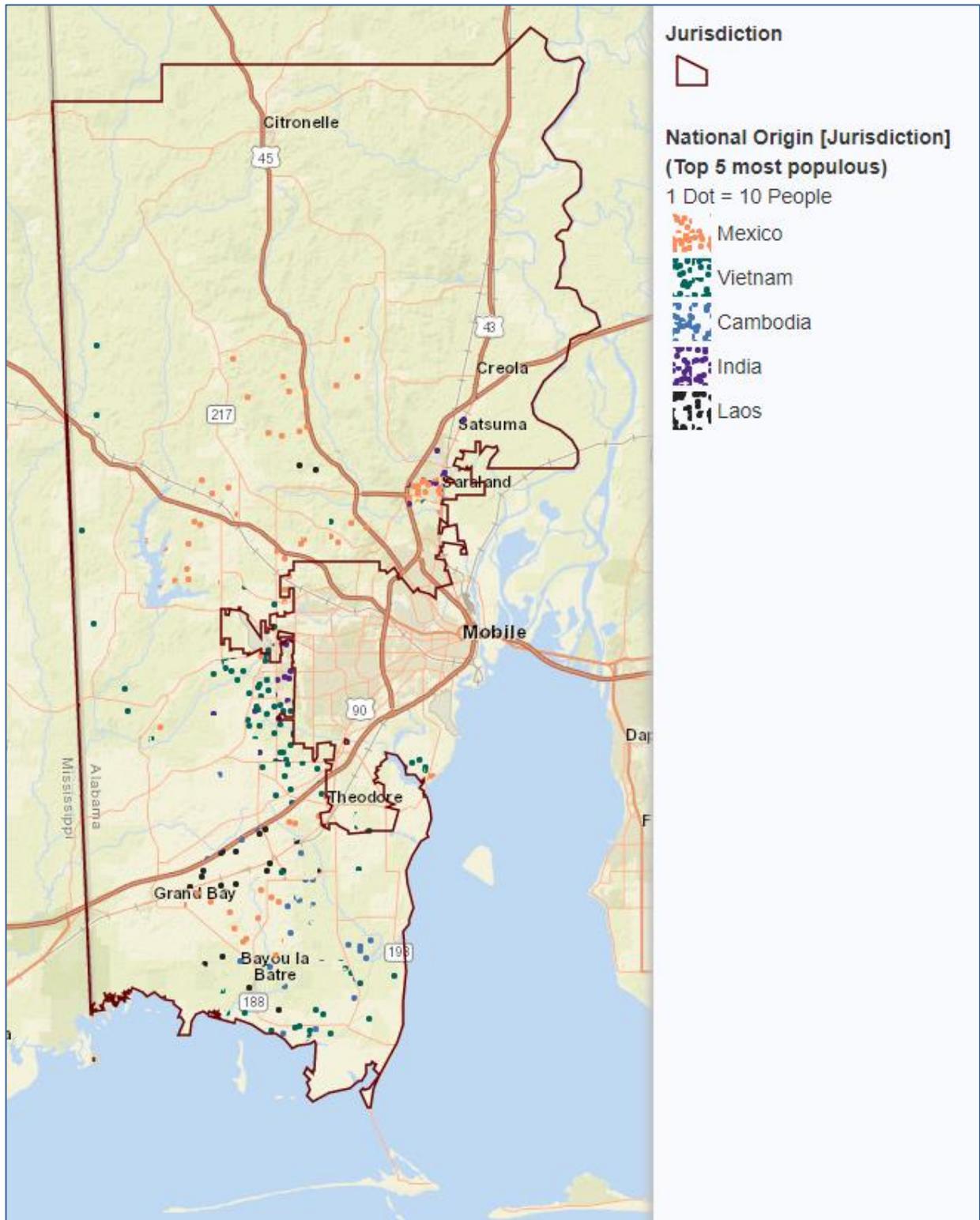
⁹ Zong, J. & Batalova, J. (2015). "The Limited English Proficient Population in the United States" *Migration Information Source*. Retrieved: <http://www.migrationpolicy.org/article/limited-english-proficient-population-united-states>

¹⁰ Golding, E., Goodman, L., & Stochack, S. (2018). "Is Limited English Proficiency a Barrier to Homeownership." Urban Institute. Retrieved: <https://www.urban.org/research/publication/limited-english-proficiency-barrier-homeownership>

The residential patterns of foreign-born populations throughout Mobile County show several clusters by country of origin. The most visibly noticeable grouping of foreign-born residents originates from Vietnam and is located in neighborhoods south of Mobile Regional Airport and north of Interstate 10. Vietnamese and Cambodian residents also live in and near Bayou La Batre, and Cambodian and Laotian residents in the Grand Bay area. Residents originating from Mexico are the largest foreign-born group and are scattered throughout the county with no visible pattern of concentration. There is a small concentration of residents from India in the City of Saraland, east of Interstate 65.

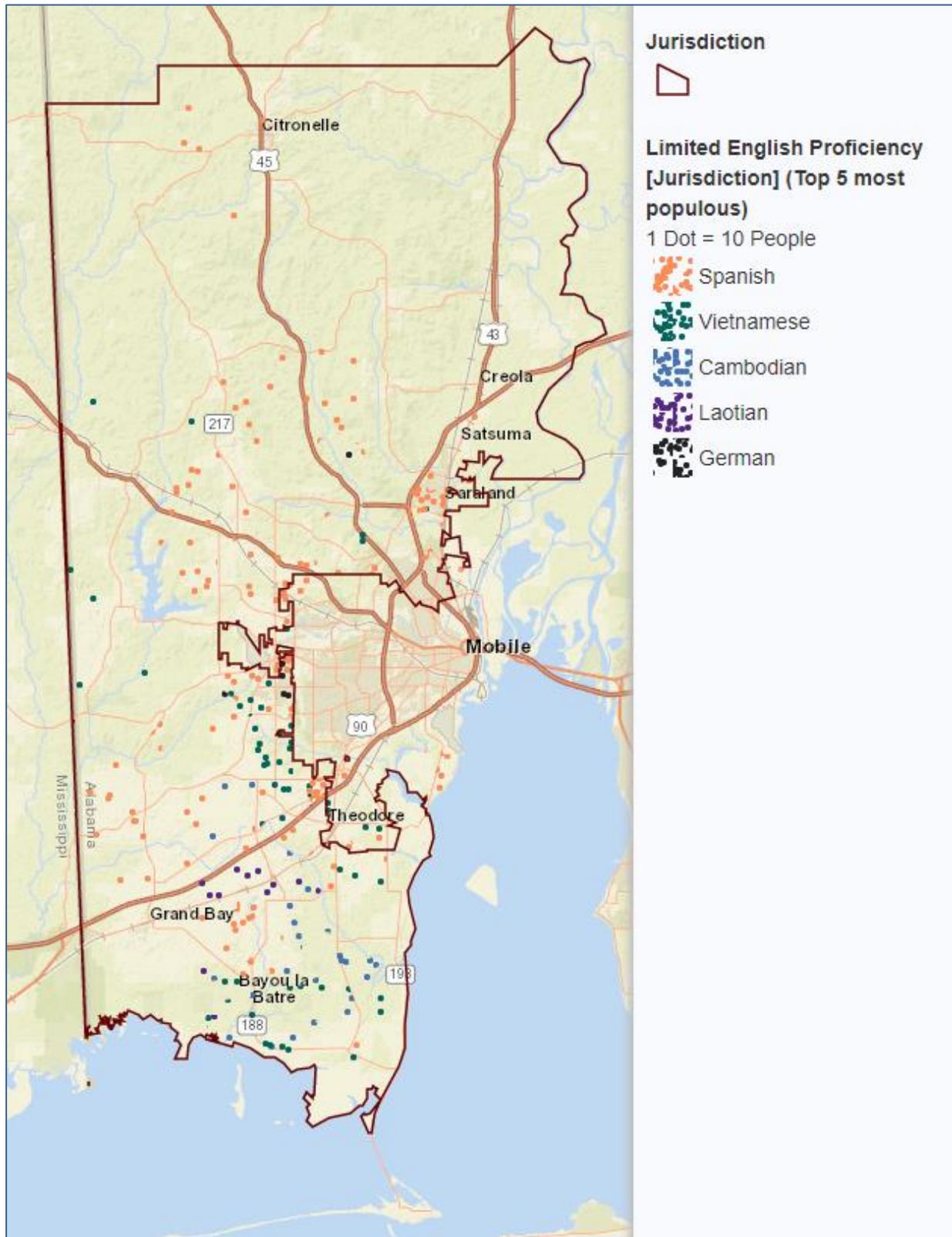
The geographic distribution of residents with limited English proficiency (LEP) in Mobile County coincide with the locations of the foreign-born population. The Spanish-speaking population is the largest among the LEP population and are scattered throughout the county, but with more presence in the southern half of the county. The Vietnamese and Cambodian-speaking populations are the next largest groups and almost exclusively reside in the southern half of the county.

FIGURE 11 – FOREIGN-BORN POPULATION BY NATIONALITY IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 12 – POPULATION WITH LIMITED ENGLISH PROFICIENCY IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

CHAPTER 5.

ACCESS TO OPPORTUNITY

Housing discrimination and residential segregation have limited access to opportunity for specific population groups and communities. It is important to understand opportunity, as used in this context, as a subjective quality. It often refers to access to resources like employment, quality education, healthcare, childcare, and other services that allow individuals and communities to achieve a high quality of life. However, research shows that perceptions of opportunity follow similar themes but are prioritized differently by different groups. Racial and ethnic minorities, low-income groups, and residents of distressed neighborhoods identified job access, employment, and training as important opportunities while White residents, higher income groups, and residents of wealthier neighborhoods more often identified sense of community, social connections among neighbors, freedom of choice, education, and retirement savings.¹¹

Proximity is often used to indicate levels of access to opportunity; however, it would be remiss to consider proximity as the only factor in determining level of access. Access to opportunity is also influenced by social, economic, and cultural factors, thus making it difficult to accurately identify and measure. HUD conducted research regarding Moving to Opportunity for Fair Housing (MTO) to understand the impact of increased access to opportunity. Researchers found residents who moved to lower-poverty neighborhoods experienced safer neighborhoods and better health outcomes, but there was no significant change in educational outcomes, employment, or income.¹² However, recent studies show the long-term effects of MTO on the educational attainment of children who were under the age of 13 are overwhelmingly positive, with improved college attendance rates and higher incomes. On the other hand, children who were over the age of 13 show negative long-term impacts from MTO.¹³

The strategy to improve access to opportunities has been two-pronged, with different housing and community development programs. Tenant-based housing vouchers allow mobility of recipients to locate in lower-poverty areas while programs like the Community Development Block Grant and Choice Neighborhoods Initiative provide funds to increase opportunities in historically disadvantaged neighborhoods.

¹¹ Lung-Amam, Willow S., et al. "Opportunity for Whom? The Diverse Definitions of Neighborhood Opportunity in Baltimore." *City and Community*, vol. 17, no. 3, 27 Sept. 2018, pp. 636-657, doi:10.1111/cico.12318.

¹² *Moving to Opportunity for Fair Housing Demonstration Program: Final Impacts Evaluation*. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, www.huduser.gov/portal//publications/pdf/MTOFHD_fullreport_v2.pdf.

¹³ Chetty, Raj, Nathaniel Hendren, and Lawrence F. Katz. 2016. "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment." *American Economic Review*, 106 (4): 855-902. https://scholar.harvard.edu/files/hendren/files/mto_paper.pdf

OVERVIEW OF HUD-DEFINED OPPORTUNITY FACTORS

Among the many factors that drive housing choice for individuals and families are neighborhood characteristics including access to quality schools, jobs, and transit. To measure economic and educational conditions at a neighborhood level, HUD developed a methodology to quantify the degree to which a neighborhood provides such opportunities. For each block group in the U.S., HUD provides a score on several “opportunity dimensions,” including school proficiency, poverty, labor market engagement, jobs proximity, transportation costs, transit trips, and environmental health. For each block group, a value is calculated for each index and results are then standardized on a scale of 0 to 100 based on relative ranking within the metro area, state, or nation. For each opportunity dimension, a higher index score indicates more favorable neighborhood characteristics.

Average index values by race and ethnicity for Mobile County and the Mobile Region are provided in Table 5 for the total population and the population living below the federal poverty line. These values can be used to assess whether some population subgroups tend to live in higher opportunity areas than others, and will be discussed in more detail by opportunity dimension throughout the remainder of this chapter. The Opportunity Index Disparity measures the difference between the scores for the White non-Hispanic group and other groups. A negative score indicates that the particular subgroup has a lower score on that dimension than the White non-Hispanic group. A positive score indicates that the subgroup has a higher score than the White non-Hispanic Group.

Figures in each of the following sections map these opportunity dimensions along with demographic information such as race and ethnicity.

TABLE 5 – DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN MOBILE COUNTY AND THE MOBILE REGION

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
Mobile County – Total Population									
School Proficiency Index	66.7	52.7	77.1	61.7	68.9	-14.0	10.4	-5.0	2.2
Jobs Proximity Index	42.2	46.0	45.2	52.1	45.9	3.8	3.0	9.9	3.7
Labor Market Index	35.6	22.5	35.2	19.0	34.8	-13.1	-0.4	-16.6	-0.8
Transit Index	12.1	19.1	16.6	14.1	14.1	7.0	4.5	2.0	2.0
Low Transportation Cost Index	14.2	21.7	15.8	9.9	16.7	7.5	1.6	-4.3	2.5
Low Poverty Index	47.9	28.7	41.9	33.2	44.6	-19.2	-6.0	-14.7	-3.3
Environmental Health Index	46.8	34.3	52.5	43.5	45.3	-12.5	5.7	-3.3	-1.5
Mobile County – Population below the Poverty Line									
School Proficiency Index	65.3	52.2	64.7	59.7	67.3	-13.1	-0.6	-5.6	2.0
Jobs Proximity Index	43.7	44.6	41.2	55.9	39.9	1.0	-2.5	12.3	-3.8
Labor Market Index	28.4	17.6	23.4	21.5	40.3	-10.8	-5.0	-6.9	11.9
Transit Index	12.2	23.9	15.9	15.6	16.8	11.7	3.7	3.4	4.6
Low Transportation Cost Index	14.6	26.6	18.9	14.4	19.0	12.0	4.3	-0.2	4.4
Low Poverty Index	41.3	20.9	32.5	34.6	46.2	-20.4	-8.8	-6.7	4.9
Environmental Health Index	48.6	28.8	46.9	39.7	43.3	-19.8	-1.7	-8.9	-5.2

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

TABLE 5 – DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN MOBILE COUNTY AND THE MOBILE REGION (CONTINUED)

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
Mobile Region – Total Population									
School Proficiency Index	63.2	46.1	69.0	60.1	61.9	-17.1	5.9	-3.1	-1.3
Jobs Proximity Index	47.9	48.4	52.7	53.0	53.0	0.4	4.7	5.1	5.1
Labor Market Index	43.8	24.7	43.6	23.3	40.5	-19.1	-0.2	-20.5	-3.3
Transit Index	18.6	28.8	24.9	16.6	23.0	10.2	6.2	-2.1	4.3
Low Transportation Cost Index	22.9	33.0	29.8	14.7	29.3	10.0	6.8	-8.3	6.4
Low Poverty Index	49.3	24.3	43.3	34.2	42.3	-25.1	-6.0	-15.1	-7.0
Environmental Health Index	39.8	28.7	39.9	40.9	36.0	-11.1	0.1	1.2	-3.7
Mobile Region – Population below the Poverty Line									
School Proficiency Index	61.3	45.4	64.0	56.5	58.4	-15.9	2.8	-4.8	-2.9
Jobs Proximity Index	47.3	45.8	50.0	57.3	47.4	-1.5	2.7	10.0	0.1
Labor Market Index	33.4	17.2	38.3	25.3	44.8	-16.2	4.8	-8.2	11.4
Transit Index	17.9	31.8	27.4	18.1	22.0	13.9	9.5	0.2	4.2
Low Transportation Cost Index	22.2	35.9	33.5	18.8	26.6	13.7	11.3	-3.4	4.4
Low Poverty Index	40.3	16.0	40.2	34.9	43.8	-24.3	-0.1	-5.5	3.5
Environmental Health Index	42.2	26.6	36.0	37.0	36.2	-15.5	-6.2	-5.1	-6.0

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

EDUCATION

School proficiency is an indication of the quality of education that is available to residents of an area. High quality education is a vital community resource that can lead to more opportunities and improve quality of life. HUD's School Proficiency Index is calculated based on the performance of 4th grade students on state reading and math exams. For each block group, the index is calculated using test results in up to the three closest schools within 1.5 miles. Results are then standardized on a scale of 0 to 100 based on relative ranking within the state. A higher index score indicates greater access to high-performing elementary schools.¹⁴

**SCHOOL PROFICIENCY INDEX:
BASED ON 4TH GRADE STUDENTS'
PERFORMANCE ON STATE
READING AND MATH TESTS AT
ELEMENTARY SCHOOLS IN OR
NEAR EACH BLOCK GROUP**

The maps on the following pages show HUD-provided opportunity scores related to education for block groups within Mobile County, along with the demographic indicators of race and ethnicity. In each map, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity.

Access to proficient schools among block groups varies significantly throughout the county. Block groups with the lowest levels of school proficiency tend to be located in and adjacent to the City of Mobile, including in the City of Prichard (north of the City of Mobile); in south Mobile County in and around Theodore and north of Grand Bay; and in north Mobile County around Creola. Other areas of the county tend to have high levels of school proficiency (see Figure 13).

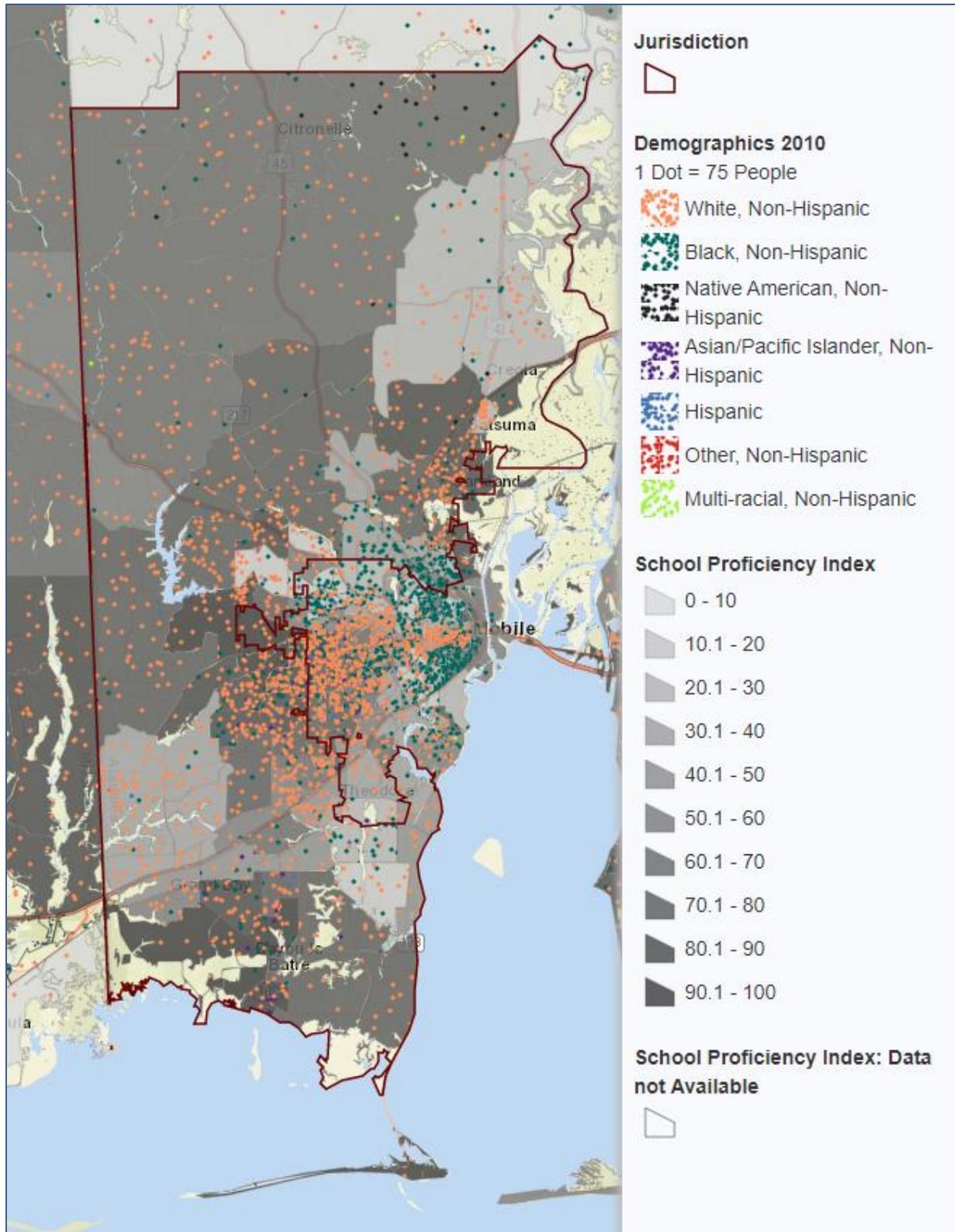
School Proficiency Index scores indicate some disparities in access to proficient schools among racial and ethnic groups in Mobile County (see Table 5). The county's Asian or Pacific Islander population has the greatest access to proficient schools, while the Black population experiences the lowest levels of access. Populations below the federal poverty line experience lower levels of access to proficient schools. Maps of school proficiency and race/ethnicity further indicate that the county's Black population is clustered in areas with lower school proficiency (see Figure 14).

School proficiency in the Mobile Region is lower than that in the county, indicating lower access to proficient schools in the City of Mobile. The Black population in the region has significantly lower access to proficient schools than other racial and ethnic groups. The population below the poverty line in the region also experiences lower access to proficient schools.

Results from the survey conducted over the course of this planning process echoed concerns surrounding disparate access to proficient schools, with 51% of survey respondents noting that schools in the county are not equally provided, compared to 35% stating that they are equally provided.

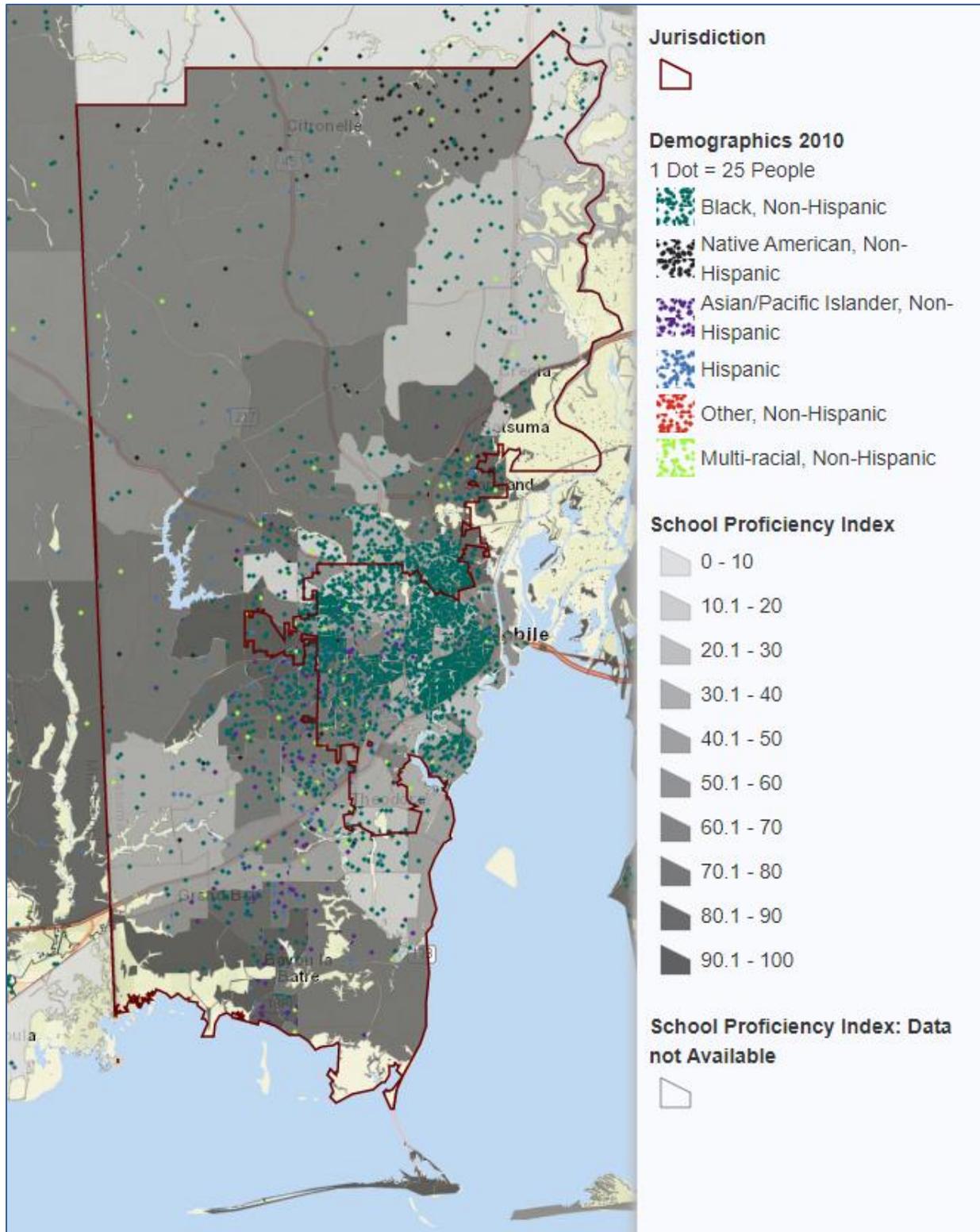
¹⁴ HUD's data sources for its School Proficiency Index include attendance area zones from School Attendance Boundary Information System (SABINS) and Maronics, school proficiency data from Great Schools, and school addresses and attendance from Common Core of Data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation.

FIGURE 13 – SCHOOL PROFICIENCY INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 14 – SCHOOL PROFICIENCY INDEX AND POPULATIONS OF COLOR IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

EMPLOYMENT

Neighborhoods with jobs in close proximity are often assumed to have good access to jobs. However, distance alone does not capture any other factor such as transportation options, the types of jobs available in the area, or the education and training necessary to obtain them. There may be concentrations of jobs near low-income neighborhoods in urban centers, but many of the jobs are unattainable for residents of those neighborhoods. Therefore, this section analyzes both the labor market engagement and jobs proximity indices which, when considered together, offer a better indication of how accessible jobs are for residents.



JOBS PROXIMITY INDEX: BASED ON DISTANCE TO REGIONAL EMPLOYMENT CENTERS AND THE LABOR SUPPLY SERVING THOSE CENTERS

The Jobs Proximity Index measures the physical distance between place of residence and job locations, with employment centers weighted more heavily. It also takes into account the local labor supply (i.e., competition for jobs) near such employment centers. Block group results are then standardized on a scale of 0 to 100 based on relative ranking within the metro area. A higher index score indicates greater access to job locations.¹⁵ The Jobs Proximity Index scores of

block groups in Mobile County are mapped in Figure 15 along with the population distribution by race and ethnicity.

The Labor Market Engagement Index is based on unemployment rate, labor force participation rate, and the percent of the population age 25 and over with a bachelor's degree or higher. Block group results are standardized on a scale of 0 to 100 based on relative ranking nationally. A higher index score indicates greater labor market engagement.¹⁶ Figure 16 maps Labor Market Engagement Index scores for block groups in Mobile County. Again, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity.



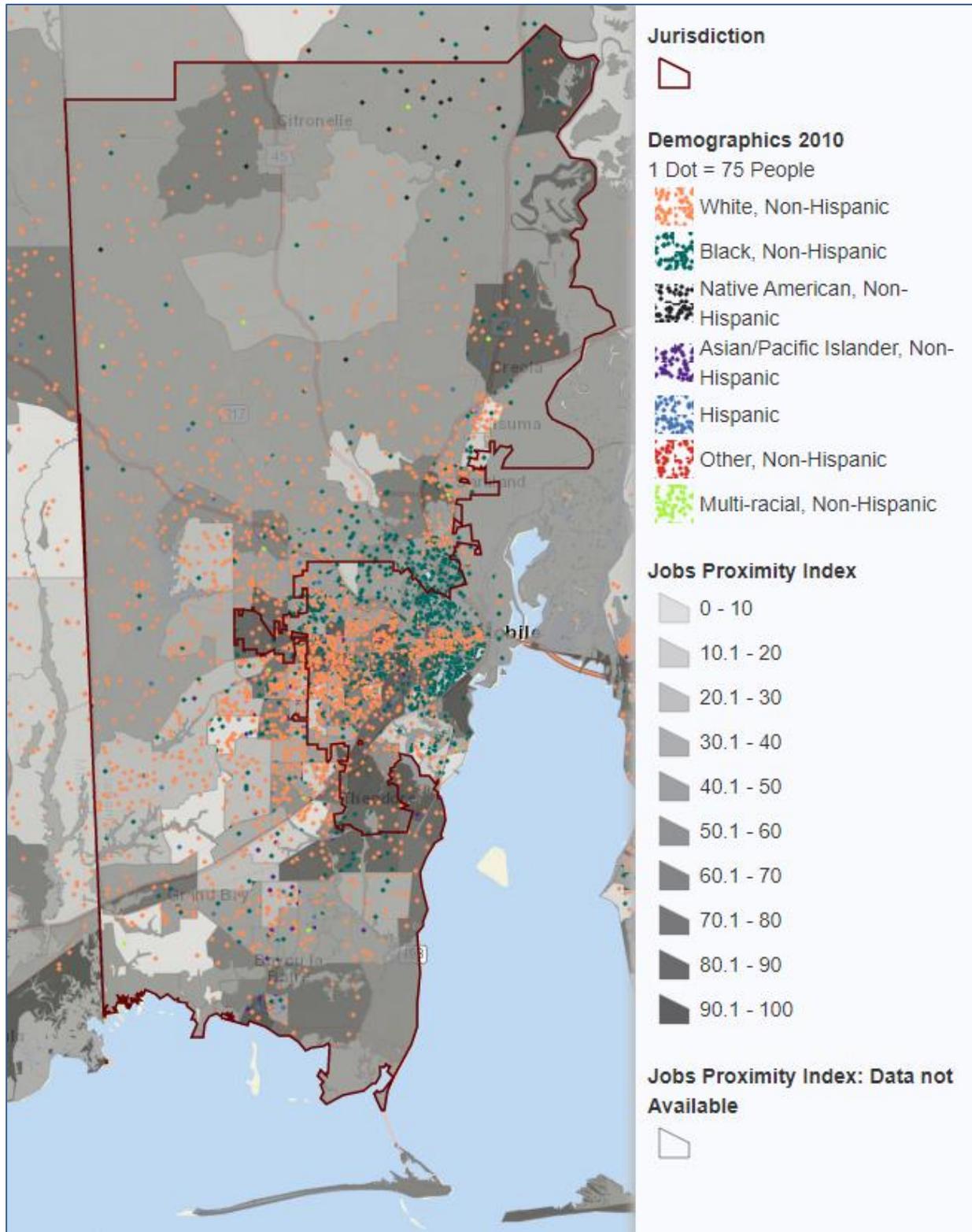
LABOR MARKET ENGAGEMENT INDEX: BASED ON EMPLOYMENT LEVELS, LABOR FORCE PARTICIPATION RATES, AND EDUCATIONAL ATTAINMENT

Mapping the Jobs Proximity Index shows that most block groups in Mobile County have moderate levels of jobs proximity. Block groups with the highest proximity to jobs are clustered within and south of the City of Mobile, while the rest of the county has relatively uniform and moderate levels of job proximity (see Figure 15).

¹⁵ HUD's data source for its Jobs Proximity Index includes the Longitudinal Employer-Household Dynamics (LEHD) database. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation.

¹⁶ HUD's data source for its Labor Market Engagement index is the American Community Survey. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation.

FIGURE 15 – JOBS PROXIMITY INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

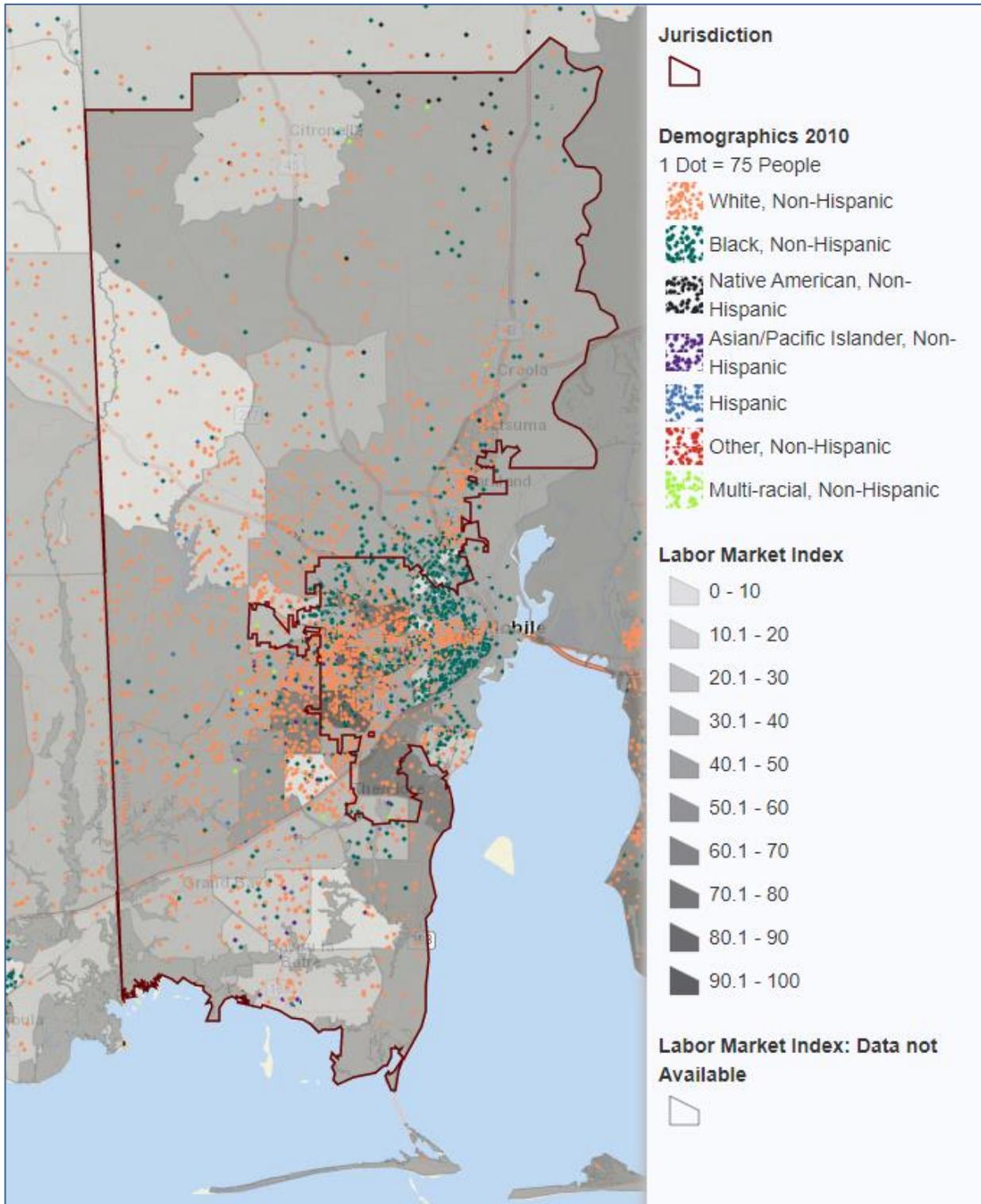
Mapping the Labor Market Engagement Index shows low to moderate levels of engagement with the labor market in most of the county's block groups. Block groups with the highest levels of labor market engagement tend to be in south and west City of Mobile and in areas of the county adjacent to these areas. The county's White population appears clustered in block groups with higher labor market engagement, while Black residents make up a greater share of the population in areas with lower labor market engagement, particularly in north and central City of Mobile, as well as north of the city in Prichard and surrounding areas (see Figure 16).

Table 5 shows patterns for both Jobs Proximity and Labor Market Engagement across racial and ethnic groups. All racial and ethnic groups experience moderate levels of job proximity, with low levels of disparity among groups. The Native American population experiences the greatest proximity to jobs, while the White population has the lowest job proximity.

More significant disparities exist among racial and ethnic groups with regard to labor market engagement. In particular, the White and Hispanic populations have the highest levels of engagement with the labor market, and Native American and Black populations experience the lowest levels of engagement (see Table 5). Overall low levels of labor market engagement in the county indicate high levels of unemployment, low labor force participation rates, and low educational attainment in the county.

The county's population living below the poverty line generally has similar levels of jobs proximity relative to the population in the county as a whole but lower levels of labor market engagement, indicating inability to access jobs due to factors other than proximity (see Table 5). Interviews with stakeholders in the county indicate that these factors may include lack of access to transportation and mismatches between available jobs and worker education and skill sets.

FIGURE 16 – LABOR MARKET INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

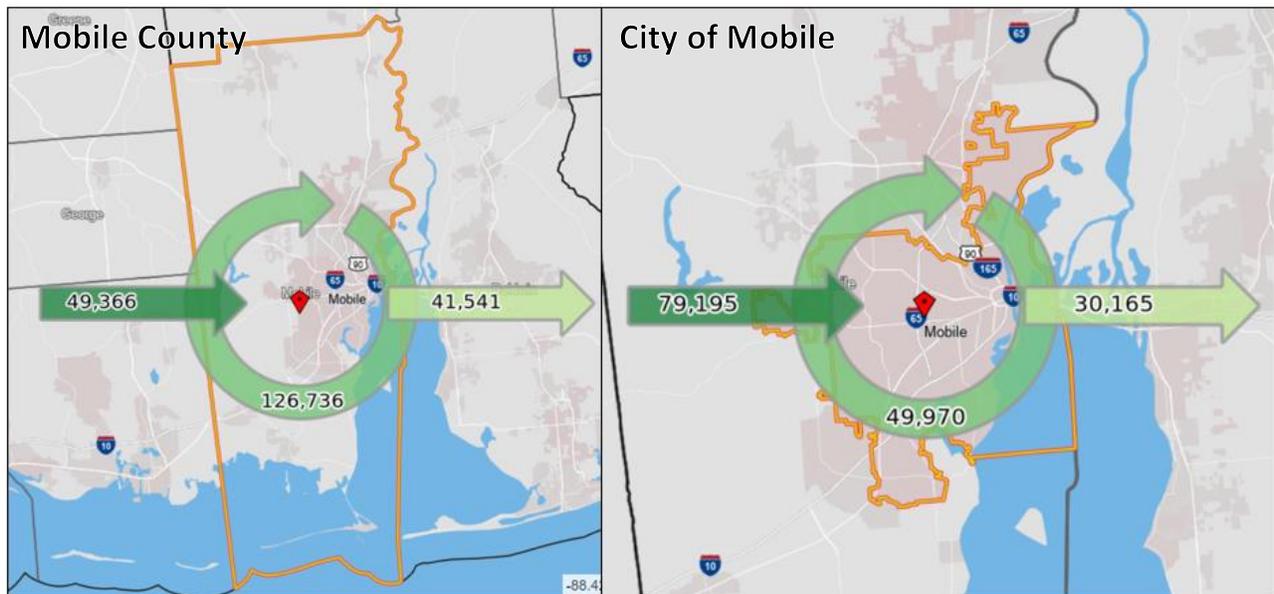
Longitudinal Employer-Household Dynamics data also indicates that a high proportion of workers living in the county (outside of the City of Mobile) commute into the city or work outside of Mobile County. Specifically, a total of 168,277 employed residents live in the Mobile Region. These include 49,970 residents living and working in the City of Mobile (29.7%); 42,481 living outside of the city but commuting in to work (25.2%); 34,285 living and working in Mobile County outside of the City of Mobile (20.4%); and 41,541 living in Mobile County but working outside of the county (24.7%) (see Table 6 and Figure 17). This data further demonstrates that lack of access to vehicles and low levels of public transportation access may be barriers for a high proportion of residents in accessing employment, which in Mobile County often requires long commutes.

TABLE 6 – INFLOW AND OUTFLOW OF WORKERS, MOBILE COUNTY, 2017

Inflow and Outflow of Workers	Number	Percent
Living in the Mobile Region	168,277	100.0%
Living in the Region but Employed Outside of the Region	41,541	24.7%
Living and Employed in the Mobile Region	126,736	75.3%
Employed in the Mobile Region	176,102	100.0%
Employed in the Region but Living Outside of the Region	49,366	28.0%
Employed and Living in the Mobile Region	126,736	72.0%

Source: Longitudinal Employer-Household Dynamics (LODES) data, 2017

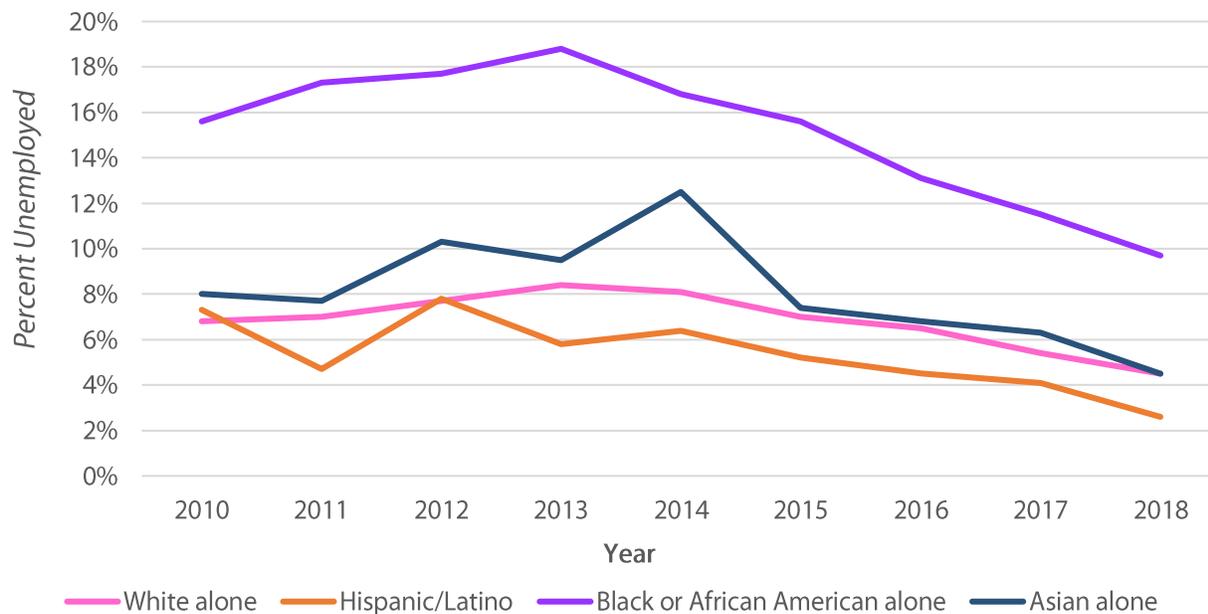
FIGURE 17 – INFLOW AND OUTFLOW OF WORKERS IN THE CITY OF MOBILE AND THE MOBILE REGION, 2017



Map Source: From the U.S. Census Bureau's On The Map application, <https://onthemap.ces.census.gov/>

Disparities in unemployment rates across racial and ethnic groups reflects uneven access to employment across these groups. In particular, Black residents have experienced the highest levels of unemployment. Notably, unemployment increased following the 2008 recession and has declined for most groups since 2013 (see Figure 18).

FIGURE 18 – UNEMPLOYMENT BY RACE AND ETHNICITY FOR THE FOUR LARGEST POPULATION SEGMENTS, MOBILE COUNTY, 2010-2018



Source: ACS 5-Year Estimates, 2006-2010 to 2014-2018

In addition to jobs proximity and labor market engagement, household income is an indicator of access to employment and quality of jobs. Median household incomes in the Mobile Region are lowest in the City of Mobile and adjacent census tracts and highest in west and north Mobile County (see Figure 19).

Low median household incomes in many of the county’s census tracts highlight that a high proportion of households do not have sufficient incomes to afford basic needs. Costs for a family of two working adults and one child in Mobile County, including housing, childcare, healthcare, food, transportation, and other miscellaneous costs, are estimated at \$4,437 per month (or \$53,244 annually).¹⁷ Yet, 22% of primary jobs held by Mobile County residents pay \$1,250 per month or less (\$15,000 or less per year), and 38% of jobs pay between \$1,251 and \$3,333 (between \$15,000 and \$39,996 per year).¹⁸

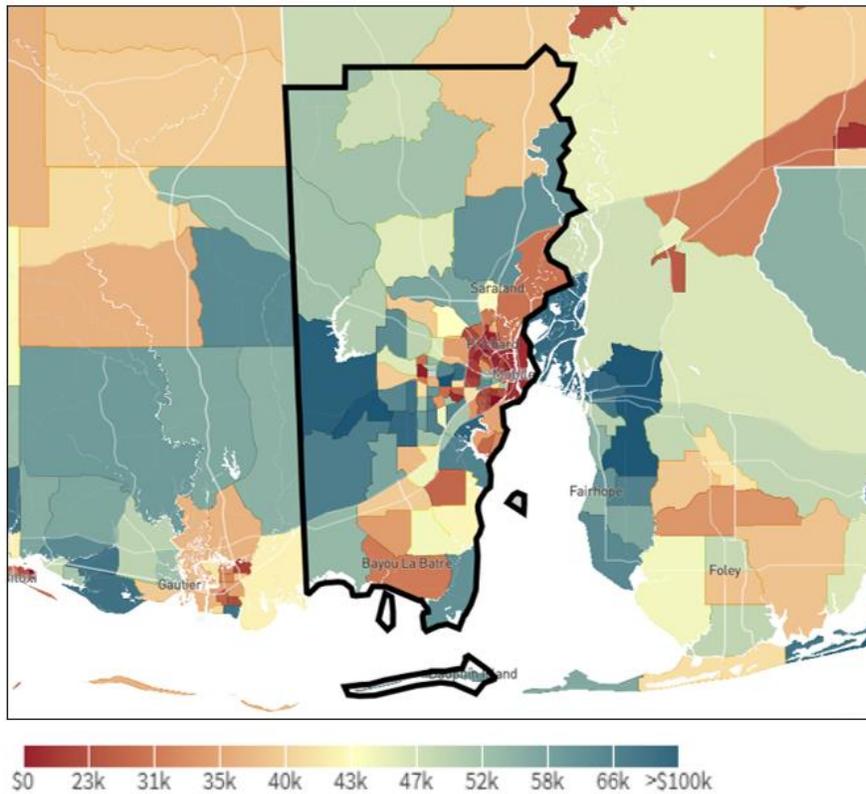
The Labor Market Engagement Index in combination with data on employment, median household income, and cost of living in Mobile County indicates disparities in access to opportunity among protected classes in the county. In particular, lower labor market engagement and incomes in block groups in and

¹⁷ MIT Living Wage Calculator. (2018). Retrieved from: <https://livingwage.mit.edu/>

¹⁸ Longitudinal Employer-Household Dynamics data. Home Area Profile Analysis. Retrieved from: <https://onthemap.ces.census.gov/>

around the City of Mobile, and lower labor market engagement for the county's Black and Native American populations indicate areas of concern.

FIGURE 19 – MEDIAN HOUSEHOLD INCOME, MOBILE REGION, 2012-2016



Map Source: From The Opportunity Atlas, <https://www.opportunityatlas.org/>

TRANSPORTATION

The Transit Trip Index measures how often low-income renter families in a neighborhood use public transit. Values are then standardized on a scale of 0 to 100 based on relative ranking nationally. The higher the index value, the more likely residents in that neighborhood use public transit.

The Low Transportation Cost Index is based on estimates of transportation costs as a percent of income for low-income renter families in a given neighborhood. Results are standardized on a scale of 0 to 100 based on relative ranking nationally. The higher the Low Transportation Cost Index, the lower the cost of transportation in that neighborhood.¹⁹ Figures 20 and 21 map Transit

TRANSIT TRIP INDEX: BASED ON ESTIMATED NUMBER OF TRANSIT TRIPS TAKEN BY FAMILIES WITH INCOMES AT 50% OF MEDIAN INCOME FOR RENTERS IN THE REGION

¹⁹ HUD's data source for its Transit Trip and Low Transportation Costs Indices is Location Affordability Index (LAI) data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation.



**LOW TRANSPORTATION COST
INDEX: BASED ON
TRANSPORTATION COSTS AS A
SHARE OF INCOME FOR FAMILIES
WITH INCOMES AT 50% OF
MEDIAN INCOME FOR RENTERS IN
THE REGION**

Trip and Low Transportation Cost Index values for Mobile County. Lighter shading indicates areas of lower opportunity (i.e., less transit use and higher transportation costs) and darker shading indicates higher opportunity (i.e., higher transit use and lower transportation costs).

Both the Transit Trip Index and the Low Transportation Cost Index indicate low levels of access to transit and low-cost transportation for Mobile County households. Transit usage is generally low and relatively uniform throughout most block groups in Mobile County (see Figure 20), and Transit

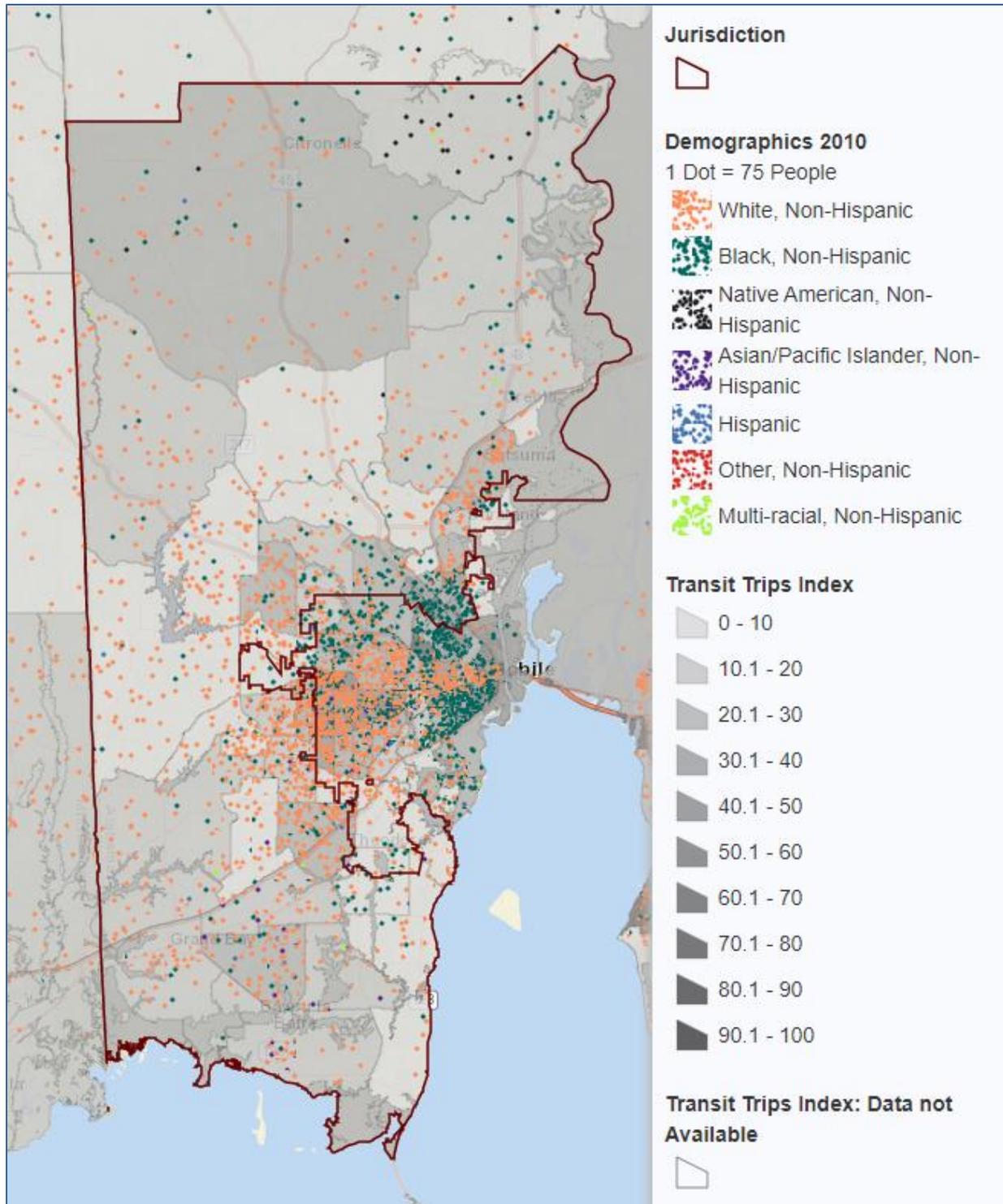
Index scores indicate low variation in levels of transit usage among racial and ethnic groups (see Table 5). The county's Black population uses transit at slightly higher rates than other groups, while the White population uses transit at slightly lower rates. Transit usage is somewhat higher for most racial and ethnic groups below the poverty line than for the population as a whole.

Transit usage in the Mobile Region is slightly higher than that in the county, driven by higher levels of transit usage within the City of Mobile. The Black population in the region uses transit at the highest rates, while Native American and White populations use it at the lowest rates.

Access to low-cost transportation is also low and relatively uniform throughout most block groups in the county (see Figure 21). Block groups in south and east Mobile County tend to have slightly greater access to low-cost transportation than those in other areas of the county. As with the Transit Trips Index, there is little variation in Low Transportation Cost Index scores among racial and ethnic groups (see Table 5). Access to low-cost transportation is slightly higher for groups living below the poverty line.

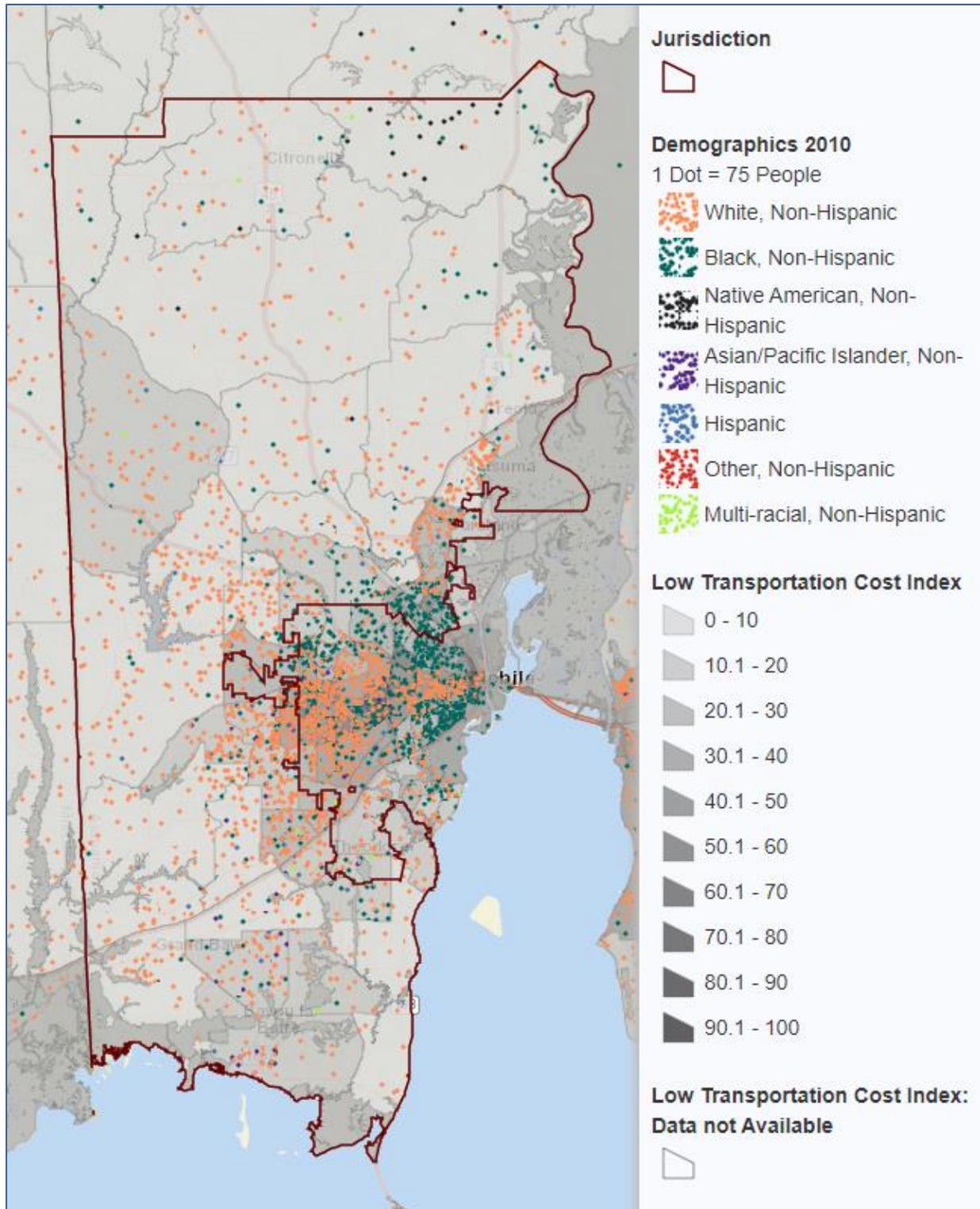
Low Transportation Cost Index scores in the Mobile Region are slightly higher than scores in the county for all racial and ethnic groups, indicating greater access to low-cost transportation in the City of Mobile. The Black population in the region has the greatest access to low-cost transportation, while the region's Native American residents have the lowest levels of access.

FIGURE 20 – TRANSIT TRIPS INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

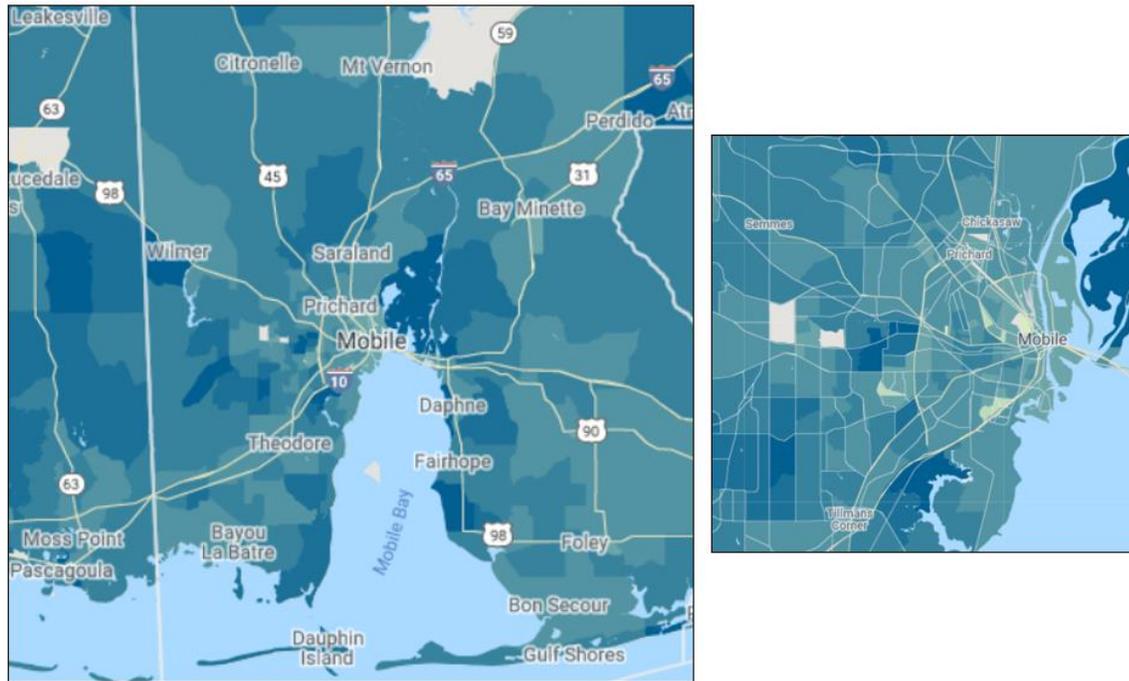
FIGURE 21 – LOW TRANSPORTATION COST INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

High transportation costs also factor into housing affordability in the county. For a typical household in the region, combined housing and transportation costs make up an estimated 57 percent of household income. For a moderate-income household in the region, the proportion jumps to 67 percent.²⁰ Notably, combined housing and transportation costs are lower closer to the City of Mobile and are generally higher further out from the city, indicating high commuting costs (see Figure 22).

FIGURE 22 – HOUSING AND TRANSPORTATION COSTS AS PERCENT OF HOUSEHOLD INCOME, MOBILE COUNTY



Housing + Transportation Costs as Percent of Income

< 24%	24-36%	36-45%	45-54%	54-66%	66-78%	78-87%	87%+
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For moderate-income households with 1.03 workers, income of \$35,047, and household size of 2.62 people

Map Source: From the Center for Neighborhood Technology Housing + Transportation Affordability Index

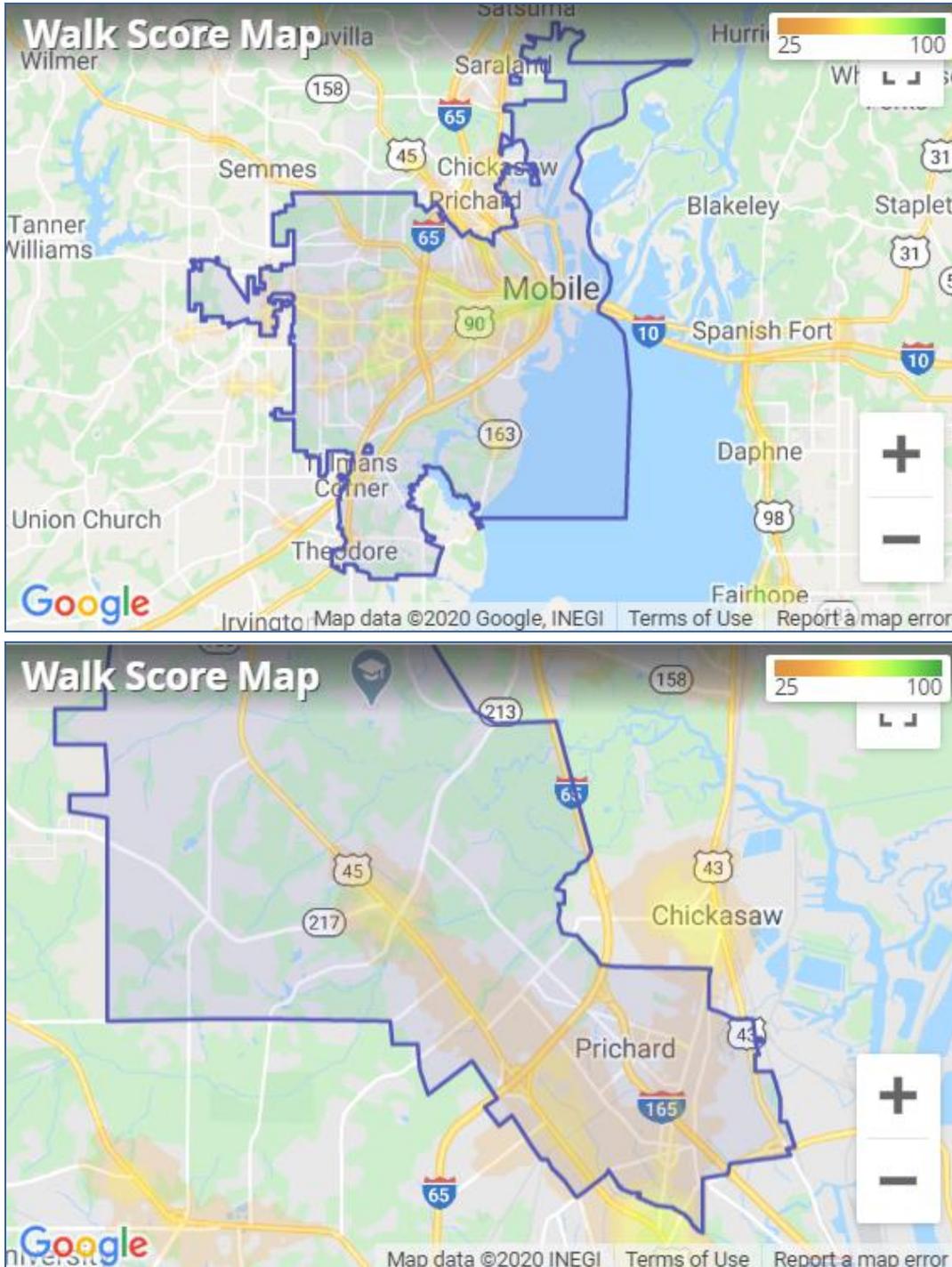
Along with access to transit and low-cost transportation, walkability shapes the extent to which residents are able to access employment, resources, and services. Walk Score measures the walkability of any address by analyzing hundreds of walking routes to nearby amenities using population density and road metrics such as block length and intersection density. Data sources include Google, Education.com, Open Street Map, the U.S. Census, Localeze, and places added by the Walk Score user community. Points are awarded based on the distance to amenities in several categories including grocery stores, parks, restaurants, schools, and shopping. The measure is useful in showing not only walkability but also access to critical facilities.

Mobile County is generally car-dependent but there is some variation in level of walkability and access to amenities among its various communities (see Figure 23). The City of Mobile has the highest levels of walkability, but small walkable areas exist throughout the county, including portions of Prichard and

²⁰ Center for Neighborhood Technology. (n.d.) H+T Affordability Index. Retrieved from: <https://htaindex.cnt.org/map/>

Chickasaw. Overall low levels of walkability in Mobile County combined with low levels of access to low-cost transportation point to potential challenges for residents without access to vehicles in accessing employment, resources, and services.

FIGURE 23 – WALKABILITY IN THE CITY OF MOBILE AND PRICHARD



Map Source: From Walkscore, <https://www.walkscore.com/AL/Mobile>

POVERTY

Residents in high poverty areas tend to have lower levels of access to opportunity due to the absence of critical resources and disinvestment in their communities. As poverty increases, disparities in access to opportunities often increase among population groups and disadvantaged communities become even more isolated. HUD's Low Poverty Index uses family poverty rates (based on the federal poverty line) to measure exposure to poverty by neighborhood. Values are standardized based on national ranking to produce scores ranging from 0 to 100 where a higher score indicates less exposure to poverty.²¹ Figure 24 maps Low Poverty Index scores for Mobile County. Lighter shading indicates areas of higher poverty and darker shading indicates lower levels of poverty.



LOW POVERTY INDEX: BASED ON NEIGHBORHOOD POVERTY RATES

Most block groups in the county have moderate levels of exposure to poverty (see Figure 24), and the overall poverty rate in the Mobile Region is 19.3% (see Table 7). However, exposure to poverty varies by location in the county, as some areas experience higher rates of poverty than others. Specifically, block groups in north Mobile County tend to have higher exposure to poverty, while block groups in south Mobile County tend to have lower levels of poverty.

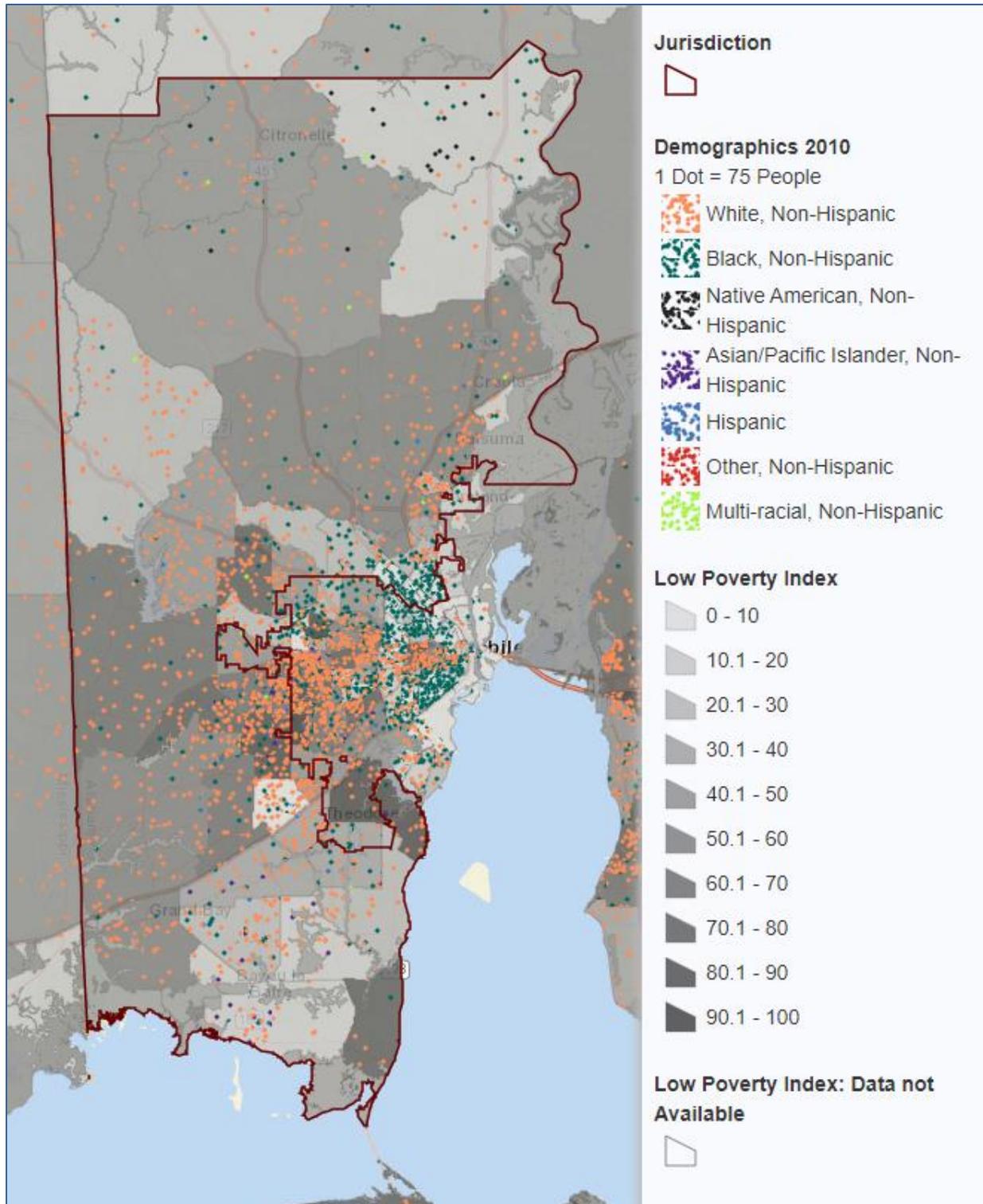
Low Poverty Index scores are low to moderate, indicating moderate to high exposure to poverty, and some disparities exist among racial and ethnic groups regarding exposure to poverty (see Table 5). The White population is exposed to the lowest levels of poverty among racial and ethnic groups, while Black and Native American populations experience the greatest exposure to poverty in Mobile County.

Low Poverty Index scores of racial and ethnic groups in the Mobile Region are higher than those in the county, indicating lower exposure to poverty in the region. As in the county, the White population experiences the lowest exposure to poverty in the region, while Black and Native American populations in the region are exposed to significantly higher levels of poverty (see Table 5).

American Community Survey data on poverty status by race and ethnicity shows that White and American Indian or Alaskan Native populations in the Mobile Region are least likely to be living below the poverty level, while Black residents experience the highest levels of poverty (see Figure 25). The Black and White populations constitute the greatest numbers of individuals below the poverty level (see Table 7).

²¹ HUD's data source for its Low Poverty Index is the American Community Survey. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation.

FIGURE 24 – LOW POVERTY INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 25 – PERCENT BELOW POVERTY BY RACE/ETHNICITY, MOBILE REGION, 2013-2017

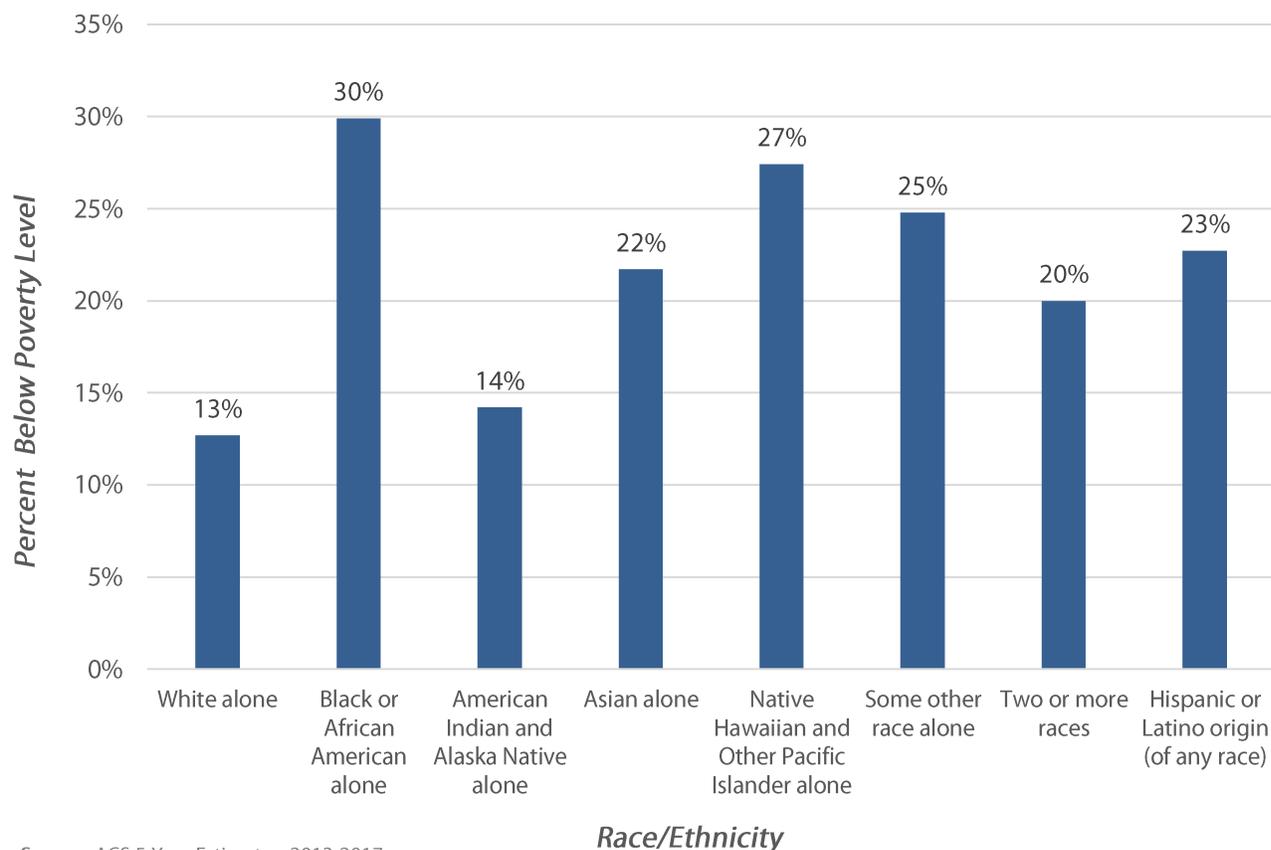


TABLE 7 – POVERTY STATUS BY RACE/ ETHNICITY, MOBILE REGION, 2013-2017

Race/Ethnicity	Population	Population Below Poverty Level	Percent Below the Poverty Level
White alone	238,960	30,439	12.7%
Black or African American alone	143,497	42,921	29.9%
American Indian and Alaska Native alone	2,866	407	14.2%
Asian alone	8,036	1,743	21.7%
Native Hawaiian and Other Pacific Islander alone	62	17	27.4%
Some other race alone	4,914	1,218	24.8%
Two or more races	7,300	1,463	20.0%
Total Population for Whom Poverty Status is Determined	405,635	78,208	19.3%
Hispanic or Latino origin (of any race)	11,668	2,649	22.7%

Source: ACS 5-Year Estimates, 2013-2017 (Table S1701)

ENVIRONMENTAL HEALTH

HUD's Environmental Health Index measures exposure based on EPA estimates of air quality (considering carcinogenic, respiratory, and neurological toxins) by neighborhood. The index only measures issues related to air quality and not to other factors impacting environmental health. Values are standardized based on national ranking to produce scores ranging from 0 to 100 where a higher score indicates less exposure to environmental hazards.²² Figure 26 maps Environmental Health Index scores for Mobile County. Lighter shading indicates areas of higher potential exposure to hazards and darker shading indicates lower levels of environmental hazards.

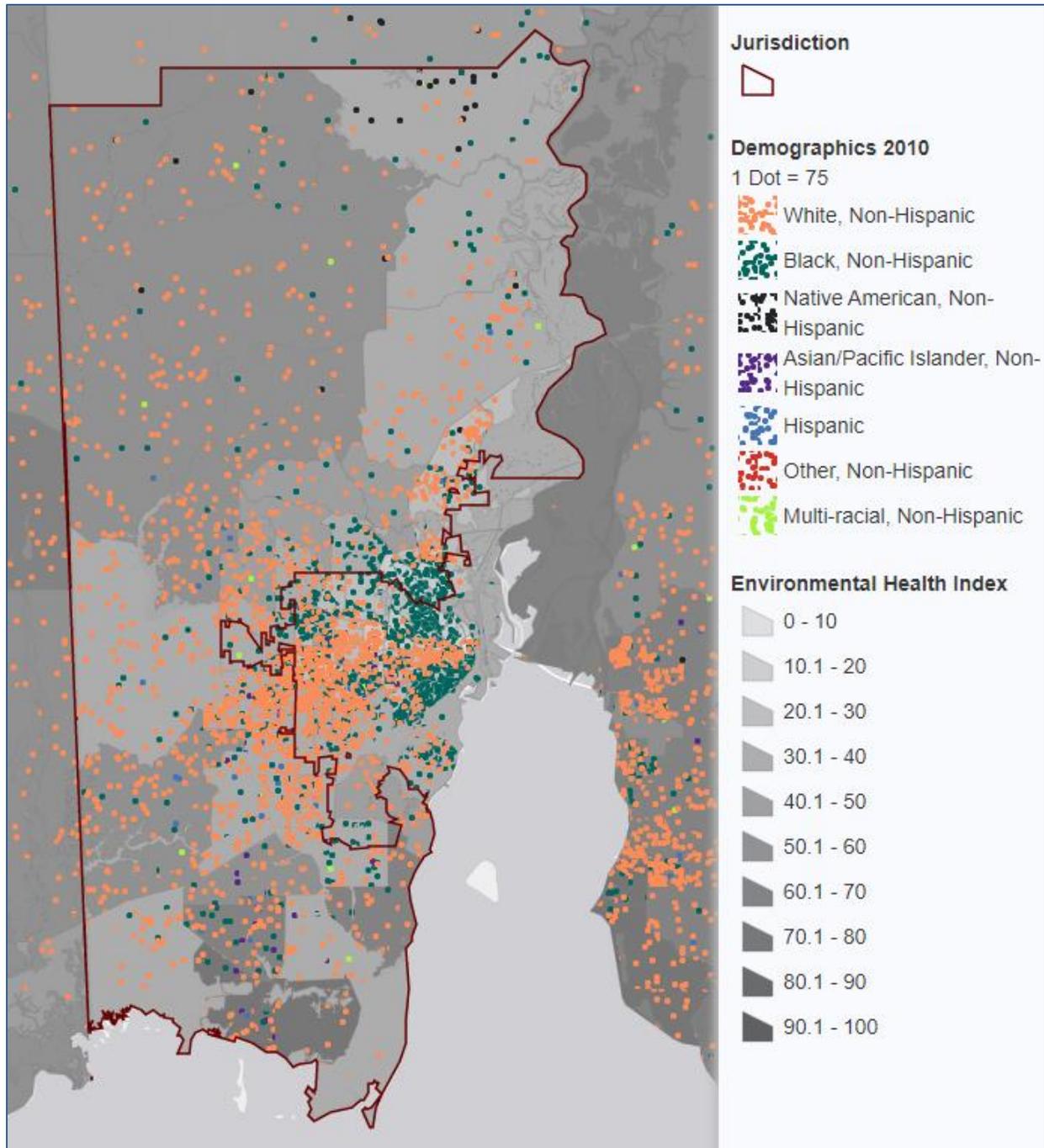
**ENVIRONMENTAL HEALTH INDEX:
BASED ON STANDARDIZED EPA
ESTIMATES OF AIR QUALITY
HAZARDS**

Mapping the Environmental Health Index indicates that most block groups in Mobile County have moderate air quality. Block groups with the best air quality include several in south Mobile County near the coast and in west Mobile County. Spatial patterns of Environmental Health Index scores and residential patterns by race and ethnicity suggest some disparity among racial and ethnic groups with regard to air quality (see Figure 26 and Table 5).

Environmental Health Index scores suggest moderate levels of exposure to low air quality across racial and ethnic groups in the county, with little disparity among groups (see Table 5). The county's Black population below the poverty level experiences the lowest levels of air quality, while the Asian or Pacific Islander and White populations tend to live in areas of the county with the highest air quality. Air quality throughout the region (including the City of Mobile) is lower than in the county for all racial and ethnic groups.

²² HUD's data source for its Environmental Health Index is the EPA's National Air Toxins Assessment (NATA) data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation.

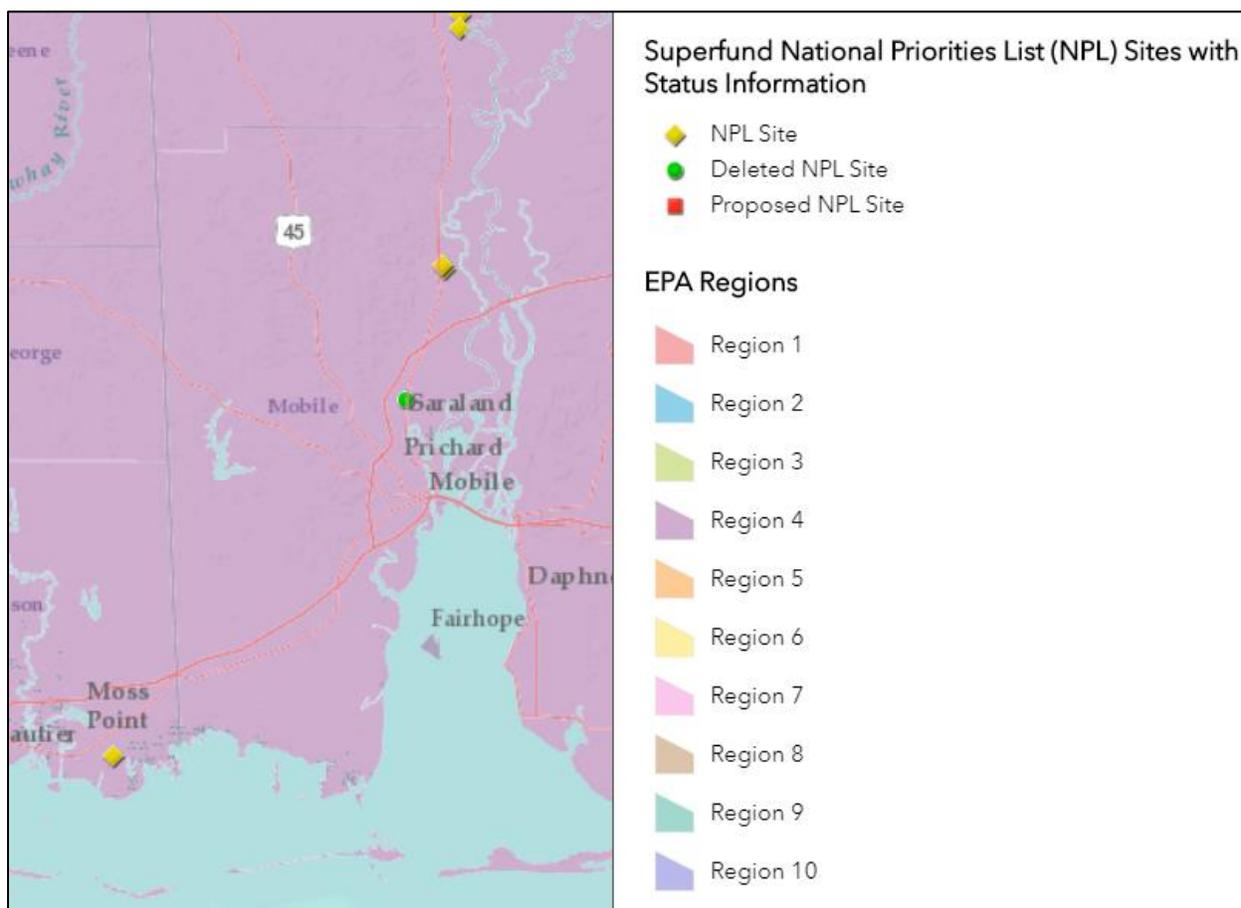
FIGURE 26 – ENVIRONMENTAL HEALTH INDEX IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

Beyond poor air quality, toxic sites may pose risks to residents living nearby and thus may constitute fair housing concerns if they disproportionately impact protected classes. A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the EPA as a candidate for cleanup because it poses a risk to human health and/or the environment. These sites are placed on the National Priorities List (NPL). Mobile County has two NPL sites—the Stauffer Chemical Co. (Cold Creek Plant) in Bucks, AL²³ and the Stauffer Chemical Co. (LeMoyne Plant) in Axis, AL (see Figure 27).²⁴ The U.S. Environmental Protection Agency continues to monitor the cleanup of these sites. Mobile County also contains one deleted NPL site—the Redwing Carriers site in Saraland. The site has been remediated with oversight by the U.S. Environmental Protection Agency and the Alabama Department of Environmental Management.²⁵

FIGURE 27 – SUPERFUND NATIONAL PRIORITIES LIST (NPL) SITES IN THE MOBILE REGION



Map Source: Environmental Protection Agency GIS Data, Retrieved from: <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>

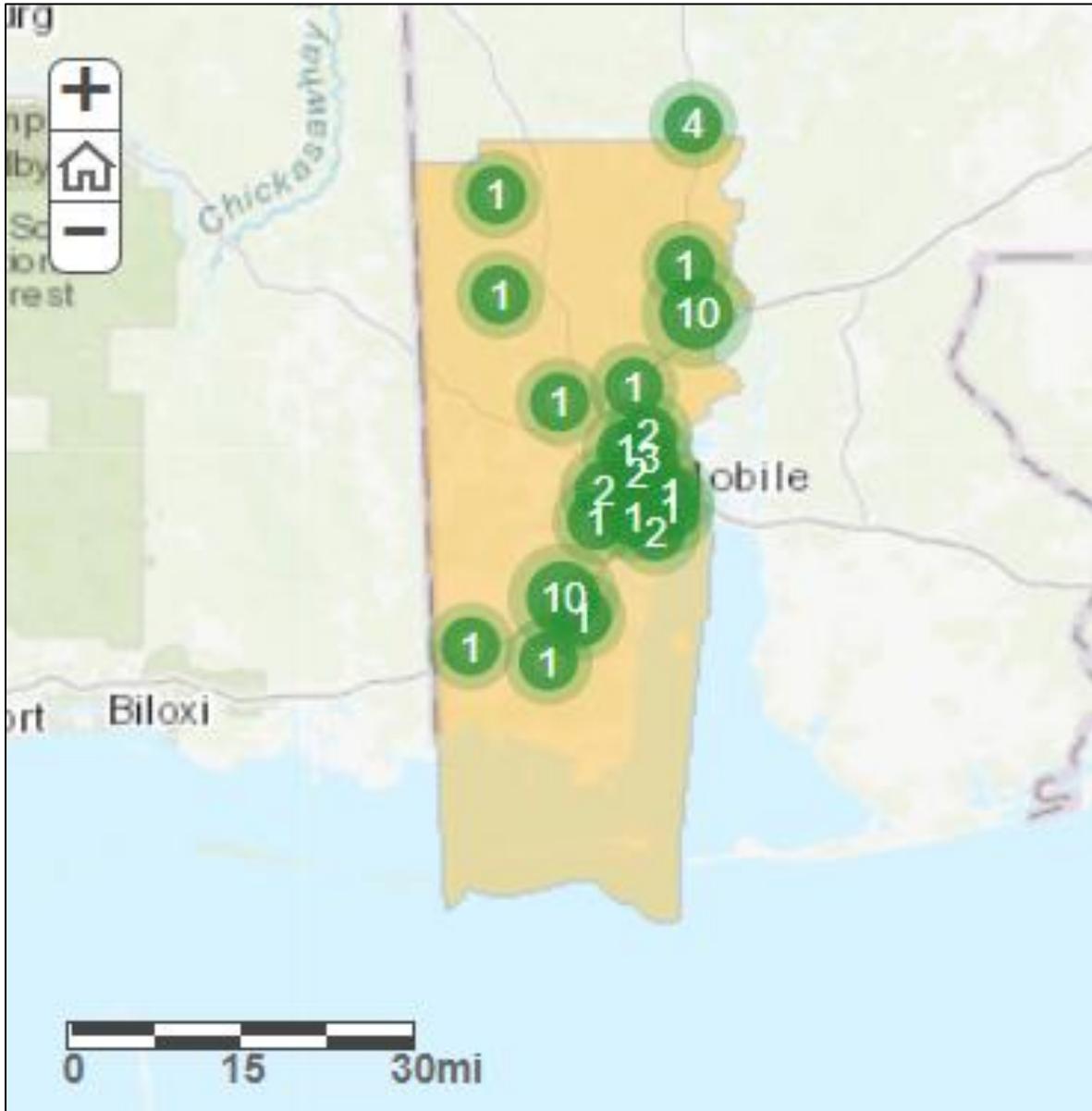
²³ U.S. Environmental Protection Agency. (n.d.). Superfund Site: Stauffer Chemical Co. (Cold Creek Plant). Retrieved from: <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0400306>

²⁴ U.S. Environmental Protection Agency. (n.d.). Superfund Site: Stauffer Chemical Co. (LeMoyne Plant). Retrieved from: <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0400144>

²⁵ U.S. Environmental Protection Agency. (n.d.). Superfund Site: Redwing Carriers, Inc. (Saraland). Retrieved from: <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=0400417#background>

The Toxics Release Inventory (TRI) tracks the management of certain toxic chemicals that may pose a threat to human health and the environment. Certain industrial facilities in the U.S. must report annually how much of each chemical is recycled, combusted for energy recovery, treated for destruction, and disposed of or otherwise released on- and off-site. This information is collectively referred to as production-related waste managed. The 48 toxic release inventory facilities in Mobile County are clustered primarily around the City of Mobile and surrounding cities, although sites are also scattered across north and south Mobile County (see Figure 28).

FIGURE 28 – TOXIC RELEASE INVENTORY (TRI) IN THE MOBILE REGION



Map Source: Environmental Protection Agency GIS Data, Retrieved from: <https://iaspub.epa.gov/triexplorer/msa.html?pYear=2016&pParent=NAT&pLoc=218>

Access to environmental amenities is another component of environmental health. Survey respondents identified community parks, gyms, and recreational fields as the county’s top public facility needs, with 54.4% of respondents rating these facilities as a high need and 33.3% rating them as a moderate need. Sixty percent (60.2%) of respondents noted that parks and trails are not equally provided in Mobile County, while 31.3% stated that they are equally available. Further, 60.8% of respondents rated ‘neighborhoods that need revitalization and reinvestment’ as a barrier to fair housing in the county, making it the most commonly identified fair housing barrier. In combination with the identification of community parks, gyms, and recreational fields as the county’s highest priority public facilities need, the noted need for neighborhood revitalization and reinvestment indicates that park access should be a priority as the county considers opportunities for neighborhood reinvestment.

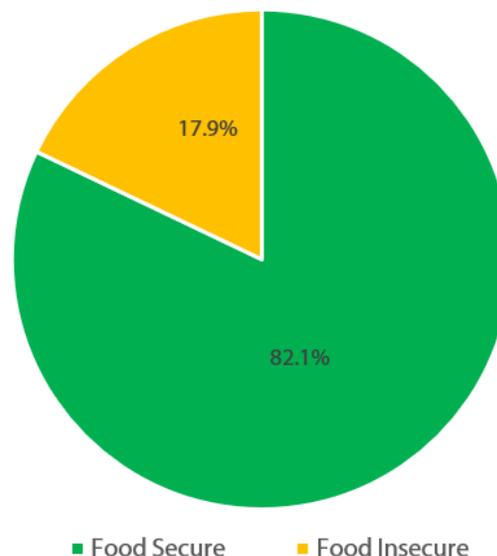
FOOD ACCESS

Food access is another important component of access to opportunity, as access to food that is both affordable and nutritious is a challenge for many individuals and families in the United States. In neighborhoods in which the nearest grocery store is many miles away, transportation costs and lack of vehicle access may present particular challenges for low-income households, who may be forced to rely on smaller stores that are often unaffordable and may not offer a full range of healthy food choices. Even in areas in close proximity to food outlets, the higher cost of healthy foods such as produce often present barriers to healthy food access.²⁶

Analysis by Feeding America indicates that 17.9% of all residents and 23.0% of children in the Mobile Region are food insecure, meaning that they lack access, at times, to enough food for an active, healthy life for all members of a given household, and have limited or uncertain access to nutritionally adequate foods (see Figure 29).²⁷

High levels of poverty and a lack of access to vehicles contribute to food insecurity. As detailed in the section on poverty, 19.3% of Mobile Region residents live below the federal poverty level, and this proportion is higher among the region’s Black population (29.9%) and other residents of color. Further, an estimated

FIGURE 29 – FOOD INSECURITY IN THE MOBILE REGION, 2017



Source: Feeding America (2017). Map the Meal Gap: Food Insecurity in Mobile County

²⁶ Valdez Z, Ramirez AS, Estrada E, Grassi K, Nathan S. Community Perspectives on Access to and Availability of Healthy Food in Rural, Low-Resource, Latino Communities. *Prev Chronic Dis* 2016;13:160250.

²⁷ Feeding America. (2017). Map the Meal Gap: Food Insecurity in Mobile County. Retrieved from: <https://map.feedingamerica.org/county/2017/child/alabama/county/mobile>

10,239 households (6.7% of total households) do not have access to a vehicle,²⁸ indicating barriers to food access in areas with low access to public transportation and low walkability.

While data on food access by neighborhood or census tract is not available, stakeholders interviewed in the course of this planning process noted a lack of access to fresh food outlets in the City of Prichard and in the county's bayou communities. Survey respondents echoed concerns surrounding food access in the county, with 41.7% noting that grocery stores and other shopping opportunities are not equally provided. As higher proportions of Black residents live in Prichard and surrounding areas north of the City of Mobile, lower levels of food access in these areas of the county may present fair housing concerns.

SUMMARY

Mobile County residents tend to have moderate levels of access to proficient schools, proximity to jobs, exposure to poverty, and environmental health, with low to moderate disparities among racial and ethnic groups. Residents across racial and ethnic groups tend to have low levels of labor market engagement, transit usage, and access to low cost transportation. The greatest disparities exist among racial and ethnic groups with regard to school proficiency, exposure to poverty, and labor market engagement. The population living below the poverty level has slightly lower access to proficient schools and environmental quality, and significantly lower labor market engagement than the total population in Mobile County.

Moderate disparities exist among racial and ethnic groups regarding access to proficient schools in Mobile County. The largest disparities exist between the Asian or Pacific Islander population (School Proficiency Index score of 77.1) and the Black population (score of 52.7). The Black population also has lower access to proficient schools at the regional level.

Mobile County has moderate Jobs Proximity Index scores with low levels of disparities in distance to job locations among racial and ethnic groups. Proximity to jobs is greater at the regional level, with low levels of disparity among racial and ethnic groups. In combination with moderate Jobs Proximity Index scores, stakeholder input and Longitudinal Employer-Household Dynamics data suggest that many workers who live in the county commute long distances to their places of work. In particular, 24.7% of workers living in Mobile County are employed outside of the county.

Labor Market Index scores indicate overall low levels of engagement with the labor market, with low to moderate disparities among racial and ethnic groups. The White, Asian or Pacific Islander, and Hispanic populations have the highest levels of engagement with the labor market, while the Native American and Black populations have the lowest levels. The Black population living below the poverty level is the least engaged with the labor market.

Transit Index scores indicate overall low levels of transit usage and little disparity among racial and ethnic groups in transit use. Transit use in the Mobile Region (including the City of Mobile) is higher than that in the county.

²⁸ American Community Survey 5-Year Estimates. (2013-2017). Table B08201. Household Size by Vehicles Available.

Low Transportation Cost scores are low throughout most block groups, indicating limited access to low-cost transportation in the county. Disparities are low among racial and ethnic groups. The Black population below the poverty level has the highest access to low transportation costs and closer proximity to public transportation.

Low Poverty Index scores indicate moderate to high levels of poverty in Mobile County, with low to moderate levels of disparities among racial and ethnic groups in exposure to poverty. Black and Native American populations in the county experience the greatest exposure to poverty, while the White and Hispanic populations are least exposed to poverty.

Indicators of environmental health also indicate disparities among racial and ethnic groups. While air quality tends to be moderate across block groups in Mobile County, block groups in south and west Mobile County score better on air quality measures. Environmental Health Index scores suggest low disparity in exposure to low air quality among racial and ethnic groups. The Black population below the poverty level experiences the greatest exposure to low air quality. Toxic release sites are clustered in the City of Mobile and surrounding communities, but they are also distributed across the county.

Finally, research, stakeholder interviews, and a community survey conducted throughout this planning process indicate high levels of food insecurity in Mobile County. In particular, stakeholders emphasized that residents in communities such as Prichard have less access to fresh, healthy, and affordable food. As higher proportions of the county's Black residents live in Prichard and Bayou La Batre, lower levels of food access in these areas may present fair housing concerns.

CHAPTER 6.

HOUSING PROFILE

The availability of quality affordable housing plays a vital role in ensuring housing opportunities are fairly accessible to all residents. On the surface, high housing costs in certain areas are exclusionary based solely on income. But the disproportionate representation of several protected class groups in low- and middle-income levels can lead to unequal access to housing options and neighborhood opportunity in high-cost housing markets. Black and Hispanic residents, immigrants, people with disabilities, and seniors often experience additional fair housing barriers when affordable housing is scarce.

Beyond providing fair housing options, the social, economic, and health benefits of providing quality affordable housing are well-documented. National studies have shown affordable housing encourages diverse, mixed-income communities, which result in many social benefits. Affordable housing also increases job accessibility for low- and middle-income populations and attracts a diverse labor force critical for industries that provide basic services for the community. Affordable housing is also linked to improvements in mental health, reduction of stress, and decreased cases of illnesses caused by poor-quality housing.²⁹ Developing affordable housing is also a strategy used to prevent displacement of existing residents when housing costs increase due to economic or migratory shifts.

Conversely, a lack of affordable housing eliminates many of these benefits and increases socioeconomic segregation. High housing costs are linked to displacement of low-income households and an increased risk of homelessness.³⁰ Often lacking the capital to relocate to better neighborhoods, displaced residents tend to move to socioeconomically disadvantaged neighborhoods where housing costs are most affordable.³¹

This section discusses the existing supply of housing in Mobile County. It also reviews housing costs, including affordability and other housing needs by householder income. Homeownership rates and access to lending for home purchases and mortgage refinancing are also assessed.

HOUSING SUPPLY SUMMARY

According to the 2014-2018 American Community Survey (ACS), there are a total of 90,684 housing units in Mobile County, up by 14.9% since 2000. The number of housing units in the county has grown more rapidly than in the region, where the 183,164 housing units represent an increase of 10.9% since 2000. In Mobile County, the vacancy rate is 13.8%, up 4.7 percentage points from 2000. Vacancies in the county are lower than in the region, where the vacancy rate is 14.9%. The vacancy rate, calculated from ACS data,

²⁹ Maqbool, Nabihah, et al. "The Impacts of Affordable Housing on Health: A Research Summary." *Insights from Housing Policy Research*, Center for Housing Policy, www.rupco.org/wp-content/uploads/pdfs/The-Impacts-of-Affordable-Housing-on-Health-CenterforHousingPolicy-Maqbool.etal.pdf.

³⁰ "State of the Nation's Housing 2015." Joint Center for Housing Studies of Harvard University, <http://www.jchs.harvard.edu/sites/default/files/jchs-sonhr-2015-full.pdf>

³¹ Deirdre Oakley & Keri Burchfield (2009) Out of the Projects, Still in the Hood: The Spatial Constraints on Public-Housing Residents' Relocation in Chicago." *Journal of Urban Affairs*, 31:5, 589-614.

includes housing that is available for sale or rent, housing that has been rented or sold but not yet occupied, seasonal housing, and other vacant units. Therefore, the actual number of rental and for-sale units that are available for occupancy are likely lower than these figures indicate.

TABLE 8 – HOUSING UNITS BY OCCUPANCY STATUS

	2000	2010	2014-2018	2000-2018 Change
Mobile County				
Total Housing Units	78,914	89,068	90,684	14.9%
Occupied Housing Units	71,699	79,475	78,163	9.0%
Vacant Housing Units	7,215	9,593	12,521	73.5%
Vacancy Rate	9.1%	10.8%	13.8%	+4.7% points
Mobile Region				
Total Housing Units	165,101	178,199	183,164	10.9%
Occupied Housing Units	150,179	158,438	155,831	3.8%
Vacant Housing Units	14,922	19,761	27,333	83.2%
Vacancy Rate	9.0%	11.1%	14.9%	+5.9% points

Data Source: 2000, 2010 U.S. Census and 2014-2018 5-Year ACS

Variety in terms of structure type is important in providing housing options suitable to meet the needs of all residents, including different members of protected classes. Multifamily housing, including rental apartments, are often more affordable than single-family homes for low- and moderate-income households, who are disproportionately likely to be households of color. Multifamily units may also be the preference of some elderly and disabled householders who are unable or do not desire to maintain a single-family home.

SINGLE-FAMILY HOMES ARE THE MOST COMMON HOUSING TYPE IN MOBILE COUNTY. MULTIFAMILY HOUSING COMPRISES ONLY 7% OF THE HOUSING STOCK.

The table that follows shows housing units by structure types in Mobile County. Single-family detached homes make up the largest share of housing units at 78.0%. Mobile homes are the second most common structure type, composing 14.0% of all housing units. The county also has small shares of small multifamily units (2.8%), duplexes, triplexes and quadraplexes (2.5%), large multifamily units (1.7%), and single-family attached

units (0.6%). Single-family detached units are also the most prominent housing types in the Mobile County region, comprising 72.9% of all housing units. The region, however, has a larger share of small multifamily units (9.0%), duplexes, triplexes, quadraplexes and large multifamily (4.7%) than in the county.

TABLE 9 – HOUSING UNITS BY STRUCTURE TYPE

Units in Structure	Mobile County		Mobile Region	
	Number	Percent	Number	Percent
1, detached	70,729	78.0%	133,437	72.9%
1, attached	581	0.6%	1,712	0.9%
2-4	2,268	2.5%	8,541	4.7%
5-19	2,584	2.8%	16,520	9.0%
20 or more	1,566	1.7%	8,589	4.7%
Mobile home	12,709	14.0%	14,083	7.7%
Other (RV, boat, van, etc.)	247	0.3%	282	0.2%
Total	90,684	100.0%	183,164	100.00%

Data Source: 2014-2018 5-Year American Community Survey Table

Availability of housing in a variety of sizes is important to meet the needs of different demographic groups. Neighborhoods with multi-bedroom detached, single-family homes will typically attract larger families, whereas dense residential developments with smaller unit sizes and fewer bedrooms often accommodate single-person households or small families. But market forces and affordability impact housing choice and the ability to obtain housing of a suitable size, and markets that do not offer a variety of housing sizes at different price points can lead to barriers for some groups. Rising housing costs can, for example, lead to overcrowding as large households with lower incomes are unable to afford pricier, larger homes and are forced to reside in smaller units. On the other hand, people with disabilities or seniors with fixed incomes may not require large units but can be limited by higher housing costs in densely populated areas where most studio or one-bedroom units are located.

As Table 10 shows, two- to three-bedroom units make up the largest share of owner-occupied and renter-occupied units in the county, at 73.2% and 79.1% respectively. One-quarter (25.3%) of the county’s owner-occupied units have four or more bedrooms. Yet only 9.0% of rental units have four or more bedrooms. Rental units in the county are more likely to be studio or one-bedroom units, which together comprise 11.9% of rental housing units. Trends in the region’s owner-occupied housing are like those in the county, with 72.0% of owner-occupied housing having 2-3 bedrooms, and 26.7% having 4 bedrooms or more. However, the region, which includes the City of Mobile, has nearly twice the share of studio or one-bedroom rental units (20.3%) than in the county alone.

TABLE 10 – HOUSING UNITS BY SIZE AND TENURE

Number of Bedrooms	Mobile County		Mobile Region	
	Number	Percent	Number	Percent
Owner-Occupied Housing Units				
Zero	258	0.4%	331	0.3%
One	614	1.0%	975	1.0%
Two or three	43,361	73.2%	72,822	72.0%
Four or more	15,017	25.3%	26,992	26.7%
Total	59,250	100.0%	101,120	100.0%
Renter-Occupied Housing Units				
Zero	303	1.6%	1,267	2.3%
One	1,940	10.3%	9,849	18.0%
Two or three	14,969	79.1%	40,119	73.3%
Four or more	1,701	9.0%	3,476	6.4%
Total	18,913	100.0%	54,711	100.0%

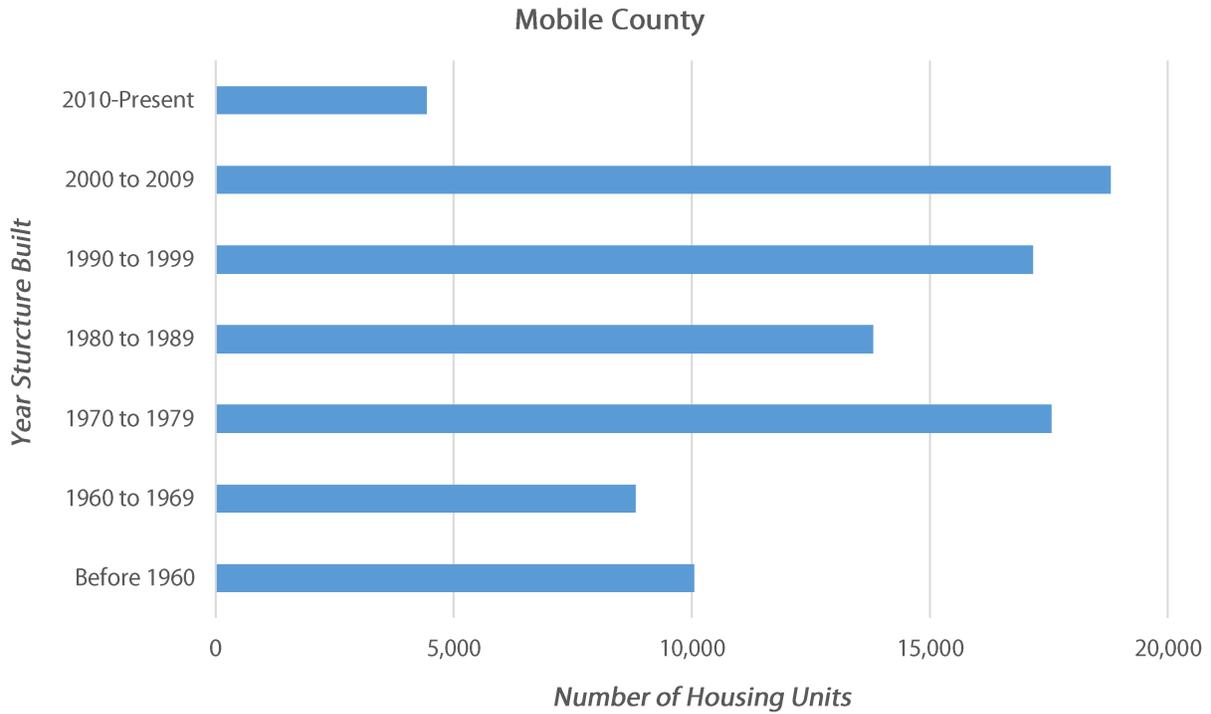
Note: Total add to the total number of occupied housing units in each geography. Unoccupied units are not included in this table because tenure data is not available for these units.

Data Source: 2014-2018 5-Year American Community Survey

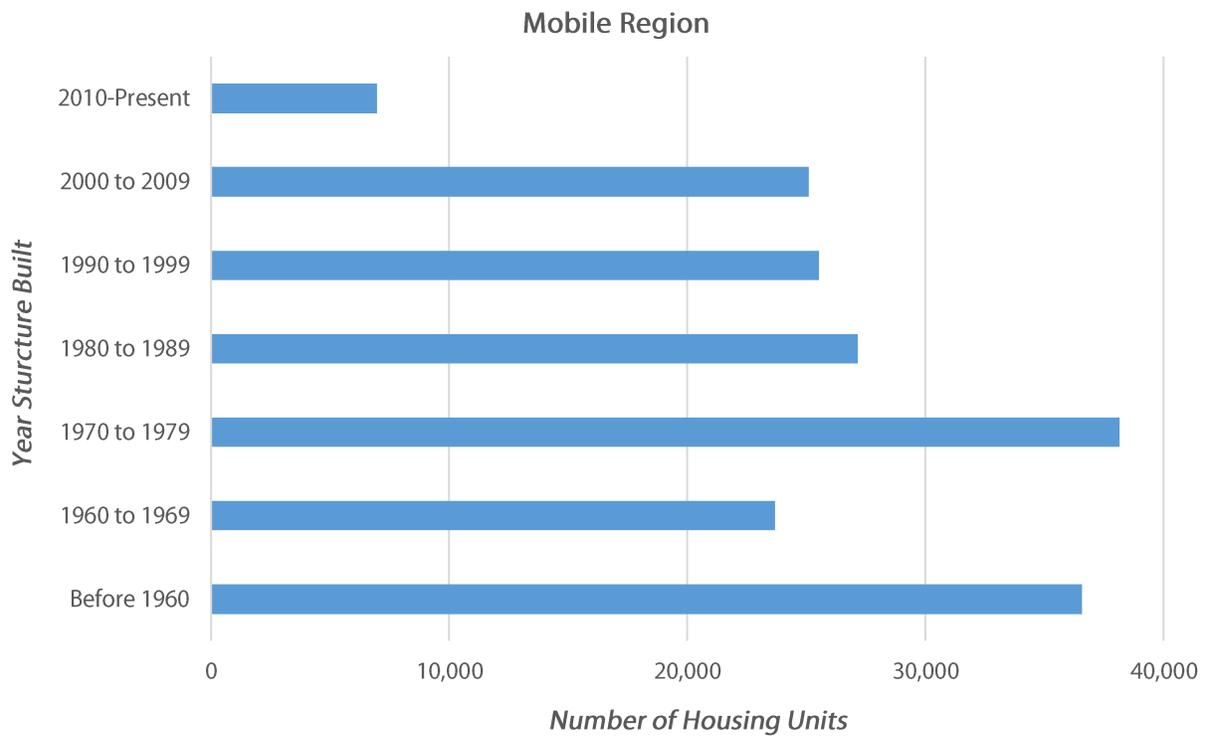
Assessing housing conditions in an area can provide a basis for developing policies and programs to maintain and preserve the quality of the housing stock. The age of an area’s housing can have substantial impact on housing conditions and costs. As housing ages, maintenance costs rise, which can present significant affordability issues for low- and moderate-income homeowners. Aging rental stock can lead to rental rate increases to address physical issues, or deteriorating conditions if building owners defer or ignore maintenance needs. Deteriorating housing can also depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood. Additionally, homes built prior to 1978 present the potential for lead exposure risk due to lead-based paint or lead pipes carrying drinking water.

Age of housing in Mobile County is shown in Figure 30 below. The county’s housing stock was predominantly constructed after 1970, particularly from the periods of 1970 to 1979 and 1990 to 2009. Census data indicates that the region’s housing stock is older than that in the county. The region’s stock was built prior to 1960 and from the period of 1970 to 1979.

FIGURE 30 – AGE OF HOUSING IN MOBILE COUNTY AND THE MOBILE REGION



Data Source: ACS 5-Year Estimates, 2014-2018



HOUSING COSTS AND AFFORDABILITY

The most common housing need identified by stakeholders related to affordability, particularly for low- and moderate-income households. The National Low-Income Housing Coalition’s annual *Out of Reach* report examines rental housing rates relative to income levels for counties throughout the U.S. The figure below shows annual household income and hourly wages needed to afford Fair Market Rents (FMRs) for one, two, and three-bedroom rental units in the Mobile Region.



TO AFFORD A 2-BEDROOM RENTAL UNIT AT MOBILE COUNTY’S FAIR MARKET RENT OF \$848 WOULD REQUIRE A 40-HOUR WORK WEEK AT A WAGE OF \$16 AN HOUR.

FIGURE 31 – REQUIRED INCOME, WAGES, AND HOURS TO AFFORD FAIR MARKET RENTS IN THE MOBILE REGION, 2019



Note: Figures for Mobile County are inclusive of the City of Mobile. Required income is the annual income needed to afford Fair Market Rents without spending more than 30% of household income on rent. Minimum wage in Mobile County is \$7.25. Average renter wages are \$13.04 in Mobile County.

Source: National Low-Income Housing Coalition *Out of Reach* 2010, Accessed from <http://nlihc.org/oor/alabama>

Fair Market Rent (FMR) is a standard set by HUD at the county or regional level for use in administering its Section 8 rental voucher program. FMRs are typically the 40th percentile gross rent (i.e., rent plus utility costs) for typical, non-substandard rental units in the local housing market.

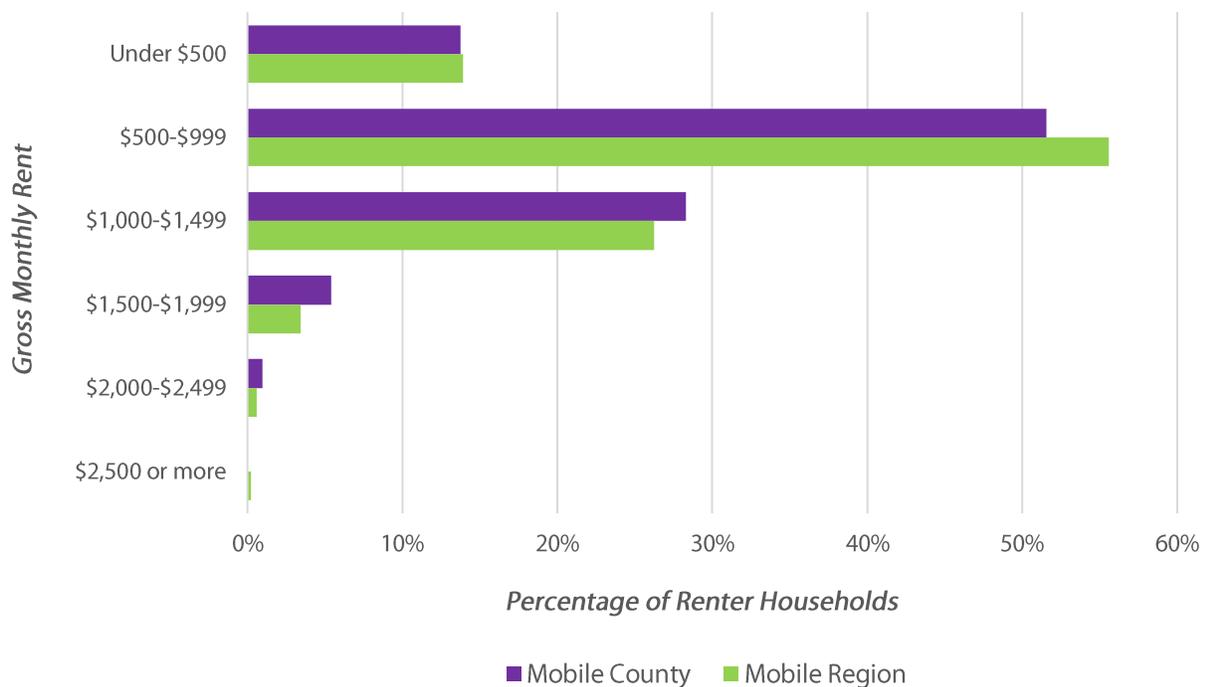
To afford a one-bedroom rental unit at the FMR of \$681 without being cost burdened (i.e. spending more than 30% of income on housing) would require an annual income of least \$27,240. This amount translates to a 40-hour work week at an hourly wage of about \$13. It would take a 72-hour work week at the minimum wage of \$7.25 to afford the unit. Average renter wages in Mobile County are \$13.04, which is on par with the required annual income for a one-bedroom unit at fair market rent. Note that the average renter wage was derived by the National Low-Income Housing Coalition from the Bureau of Labor Statistics’ Quarterly Census of Employment and Wages data for the purpose of evaluating local housing affordability.

A household could afford the two-bedroom FMR of \$848 with an annual income of \$33,920 or higher, or a 40-hour work week at an hourly wage of about \$16. A minimum wage worker would need to work 90 hours per week to afford the unit. Someone earning the average renter wage would have to work 50 hours per week to afford the unit.

Overall, this data indicates that low incomes make housing at fair market rents unaffordable to individuals earning the minimum wage in Mobile County. Individuals earning average renter wages and working a 40-hour work week can afford one-bedroom housing at FMR but would not be able to afford larger units.

Figures 32 and 33 show gross rent (rent plus utilities) and monthly owner costs (mortgage, taxes, insurance, utilities, HOA fees, and mobile site fees) for owners with a mortgage in Mobile County and the Mobile Region as of the 2014-2018 American Community Survey. The largest share of rents (51.6%) are between \$500 and \$999, and about one-third (34.7%) are over \$1,000. The next section looks in more detail at housing needs in Mobile County. These shares are similar in the region (55.6% and 30.4%, respectively).

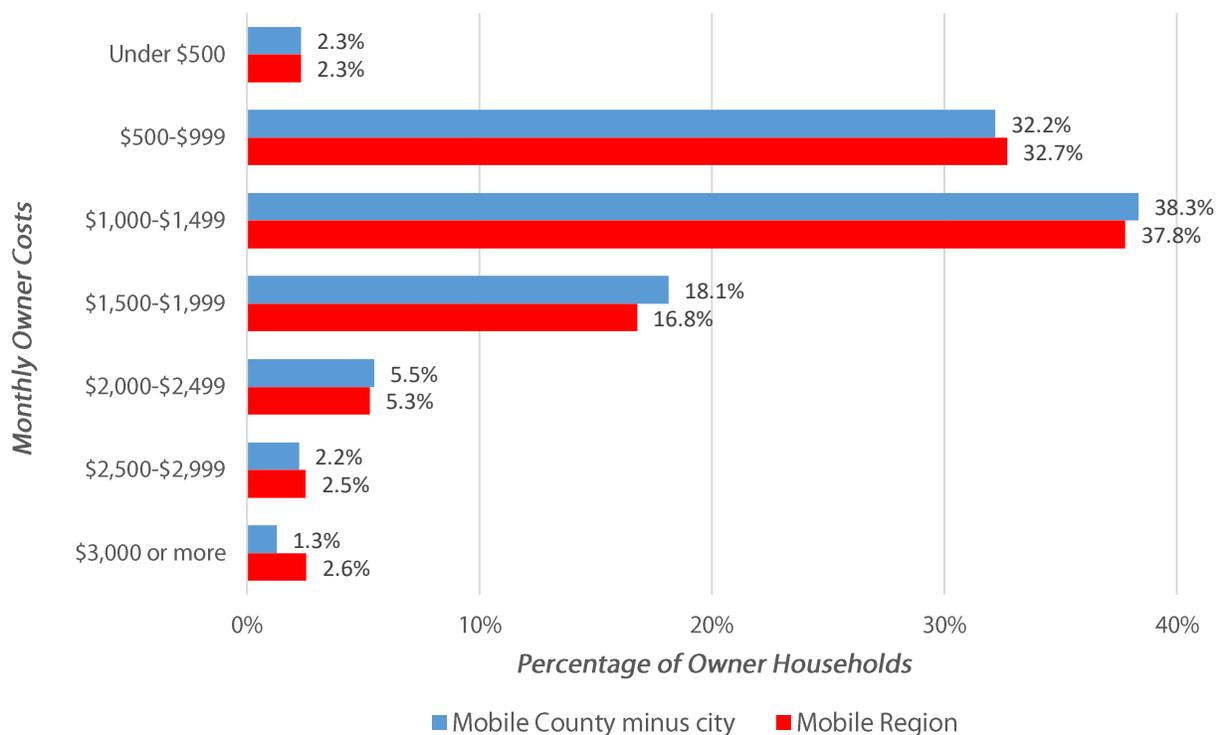
FIGURE 32 – GROSS RENT FOR RENTER HOUSEHOLDS IN MOBILE COUNTY AND THE MOBILE REGION



Data Source: ACS 5-Year Estimates, 2014-2018

Of owners with a mortgage in Mobile County, the largest share (38.3%) having housing costs between \$1,000 and \$1,499; another 32.2% have housing costs between \$500 and \$999. About one-fifth of Mobile County owners spend between \$1,500 and \$1,999 on housing (18.1%). The distribution of monthly owner costs at the regional level is similar to that of the county.

FIGURE 33— MONTHLY OWNER COSTS FOR OWNER HOUSEHOLDS WITH A MORTGAGE IN MOBILE COUNTY AND THE MOBILE



Data Source: ACS 5-Year Estimates, 2014-2018

HOUSING NEEDS

Housing cost and condition are key components to housing choice. Housing barriers may exist in a jurisdiction when some protected class groups have greater difficulty accessing housing in good condition and that they can afford. To assess affordability and other types of housing needs, HUD defines four housing problems:

1. A household is *cost burdened* if monthly housing costs (including mortgage payments, property taxes, insurance, and utilities for owners and rent and utilities for renters) exceed 30% of monthly income.
2. A household is *overcrowded* if there is more than 1.0 people per room, not including kitchen or bathrooms.
3. A housing unit *lacks complete kitchen facilities* if it lacks one or more of the following: cooking facilities, a refrigerator, or a sink with piped water.
4. A housing unit *lacks complete plumbing facilities* if it lacks one or more of the following: hot and cold piped water, a flush toilet, or a bathtub or shower.

HUD also defines four severe housing problems, including a severe cost burden (more than 50% of monthly housing income is spent on housing costs), severe overcrowding (more than 1.5 people per room,

not including kitchens or bathrooms), lack of complete kitchen facilities (as described above), and lack of complete plumbing facilities (also as described above).

To assess housing need, HUD receives a special tabulation of data from the U. S. Census Bureau’s American Community Survey that is largely not available through standard Census products. This data, known as Comprehensive Housing Affordability Strategy (CHAS) data, counts the number of households that fit certain combination of HUD-specified criteria, such as housing needs by race and ethnicity. CHAS data for the Mobile County and the Mobile Region is provided in the tables that follow.

ABOUT 30% OF MOBILE COUNTY HOUSEHOLDS HAVE A HOUSING NEED AND THE MOST COMMON NEED IS AFFORDABILITY.

BLACK, HISPANIC, AND ASIAN HOUSEHOLDS ARE MORE LIKELY TO HAVE DIFFICULTY AFFORDING HOUSING THAN WHITE HOUSEHOLDS.

In Mobile County, 29.1% of all households (22,808 households) have at least one housing problem. Approximately 14.8% of Mobile County households (11,614 households) have a severe housing problem. Levels of need in the region are higher, with one-third (33.4%) of households having a housing problem and 17.9% having a severe housing problem.

Looking at housing needs by the race and ethnicity of the householder, housing problems affect just under one-quarter of White households (24.1%) and 28.6% of Native American households. Comparatively, all other racial and ethnic groups in

the county are disproportionately affected by housing problems. Half of all Hispanic households (49.6%), as well as 43.9% of Black households, 43.1% of Asian households and 39.6% of Other, non-Hispanic households have at least one housing problem.

Hispanic, Asian, and other non-Hispanic households are also disproportionately affected by severe housing problems in Mobile County. While 14.8% of households have a severe housing problem, 32.2% of Hispanic households and 31% of Asian and other, non-Hispanic households do. Approximately 23.8% of Black households, 16.1% of Native American households and 11.3% of White households also have a severe housing problem.

Table 11 also shows rates of housing need based on the size of the household. In Mobile County, large family households have the highest percentage of households with housing problems (39.3%), followed by non-family households (36.7%) and small family households (24.5%). These rates are higher in the region, where 40% of large and non-family households have housing problems, as well as 28.5% of small family households.

Table 12 examines severe housing cost burden in Mobile County. There are 9,486 households in the county (12.1%) experiencing severe housing cost burden. Asian and other, non-Hispanic households have disproportionately greater need, with 22.1% and 25.0% experiencing severe housing cost burdens, respectively. Black and Hispanic households have above average rates of severe cost burdens (20.8% and 16.2%, respectively) but are not considered to be disproportionately affected. White and Native American

households have below average rates of severe cost burden, with approximately 9% of each group affected.

Table 12 also discusses severe housing cost burden by household size. Non-family households have the greatest rate of severe cost burden (17.1%). Approximately 10% of small and large family households also experience severe cost burdens. These rates increase in the region, where 20.2% of non-family households pay more than 50% of their incomes on housing costs, compared to 13.0% of small families and 12.3% of large families.

Figures 34 and 35 map the prevalence of housing problems in Mobile County, along with population by race, ethnicity, and national origin. The highest rates of need are in Prichard, where between 49% and 58% of all households in census tracts 41, 48, 49 and 76 have at least one housing problem. Prichard is predominantly populated by African American residents. Over half of all households (52%) in census tract 51 in Chickasaw, and 40% of tract 55 in Saraland and tract 69.01 in Tillman's Corner also have a housing problem. The tracts in Chickasaw, Saraland and Tillman's Corner have predominantly White populations. However, these three tracts also have some residents of varying national origins. Tract 51 in Chickasaw has a small population of residents from Mexico; tract 55 in Saraland has a small population from India. Tillman's Corner has a larger population of residents from Vietnam. All these census tracts are near or adjacent to the City of Mobile.

TABLE 11 – DEMOGRAPHICS OF HOUSEHOLDS WITH DISPROPORTIONATE HOUSING NEEDS

Disproportionate Housing Needs	Mobile County			Mobile Region		
	# with problems	# of households	% with problems	# with problems	# of households	% with problems
Households Experiencing any of the Four Housing Problems						
Race and Ethnicity						
White, Non-Hispanic	14,024	58,115	24.1%	24,730	96,165	25.7%
Black, Non-Hispanic	6,906	15,742	43.9%	23,905	51,165	46.7%
Hispanic	664	1,340	49.6%	1,354	2,888	46.9%
Asian or Pacific Islander, Non-Hispanic	622	1,442	43.1%	994	2,394	41.5%
Native American, Non-Hispanic	238	832	28.6%	370	1,073	34.5%
Other, Non-Hispanic	315	795	39.6%	519	1,499	34.6%
Total	22,808	78,335	29.1%	51,860	155,180	33.4%
Household Type and Size						
Family households, <5 People	12,391	50,541	24.5%	26,055	91,345	28.5%
Family households, 5+ People	2,982	7,588	39.3%	5,470	13,464	40.6%
Non-family households	7,411	20,185	36.7%	20,335	50,360	40.4%
Households Experiencing any of the Four Severe Housing Problems						
Race and Ethnicity						
White, Non-Hispanic	6,543	58,115	11.3%	12,125	96,165	12.6%
Black, Non-Hispanic	3,753	15,742	23.8%	13,620	51,165	26.6%
Hispanic	431	1,340	32.2%	735	2,888	25.5%
Asian or Pacific Islander, Non-Hispanic	448	1,442	31.1%	689	2,394	28.8%
Native American, Non-Hispanic	134	832	16.1%	190	1,073	17.7%
Other, Non-Hispanic	244	795	30.7%	395	1,499	26.4%
Total	11,614	78,335	14.8%	27,770	155,180	17.9%

Note: All % represent a share of the total population, except household type and size, which is out of total households.

Source: CHAS

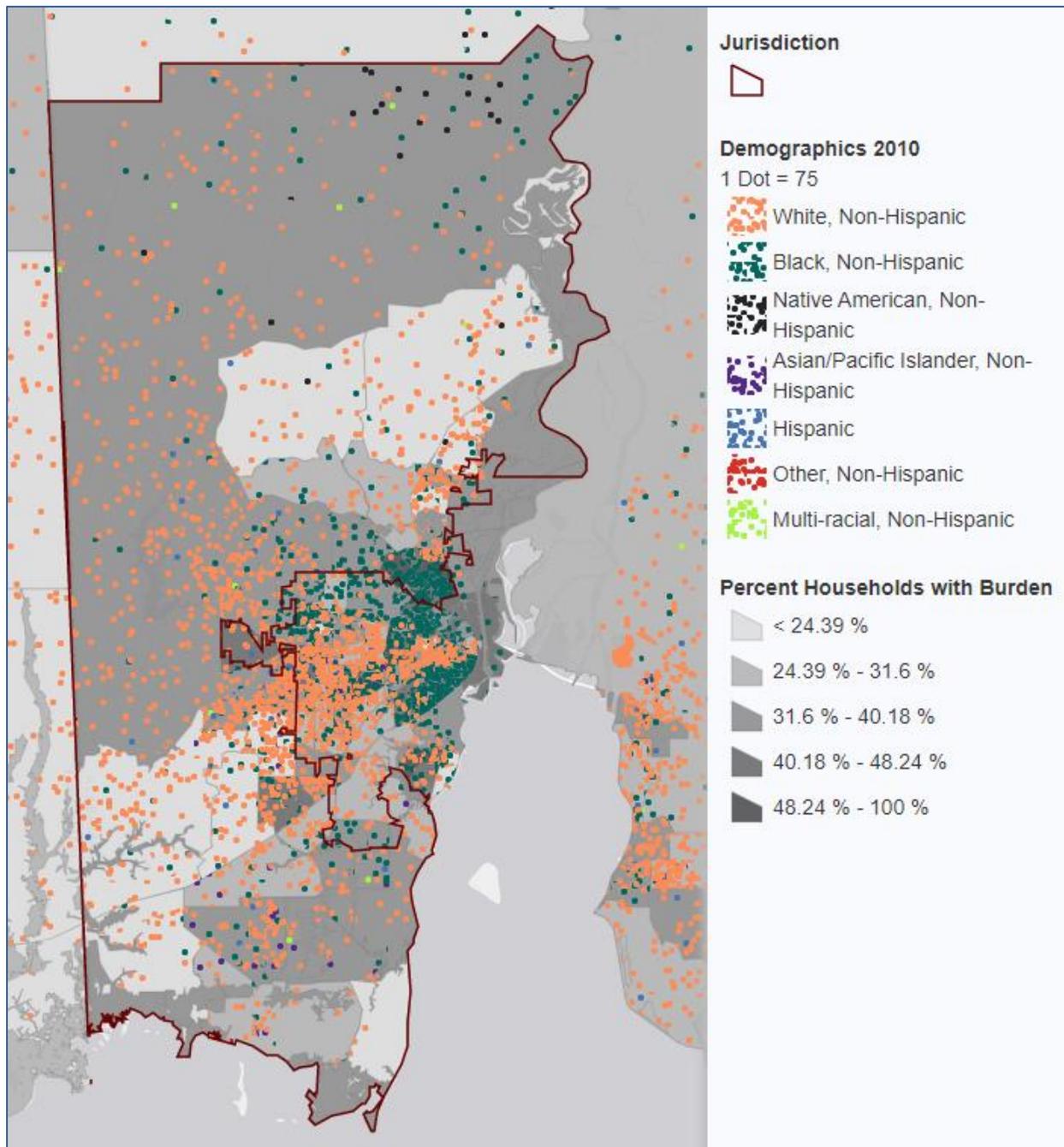
TABLE 12 – DEMOGRAPHICS OF HOUSEHOLDS WITH SEVERE HOUSING COST BURDENS

	Mobile County			Mobile Region		
	# with problems	# of households	% with problems	# with problems	# of households	% with problems
Race and Ethnicity						
White, Non-Hispanic	5,409	58,115	9.3%	10,390	96,165	10.8%
Black, Non-Hispanic	3,268	15,742	20.8%	11,885	51,165	23.2%
Hispanic	217	1,340	16.2%	490	2,888	17.0%
Asian or Pacific Islander, Non-Hispanic	319	1,442	22.1%	489	2,394	20.4%
Native American, Non-Hispanic	74	832	8.9%	135	1,073	12.6%
Other, Non-Hispanic	199	795	25.0%	350	1,499	23.4%
Total	9,486	78,335	12.1%	23,739	155,180	15.3%
Household Type and Size						
Family households, <5 People	5,227	50,541	10.3%	11,870	91,345	13.0%
Family households, 5+ People	769	7,588	10.1%	1,659	13,464	12.3%
Non-family households	3,451	20,185	17.1%	10,194	50,360	20.2%

Note: Severe housing cost burden is defined as greater than 50% of income. All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households. The # households is the denominator for the % with problems and may differ from the # households for the table on severe housing problems.

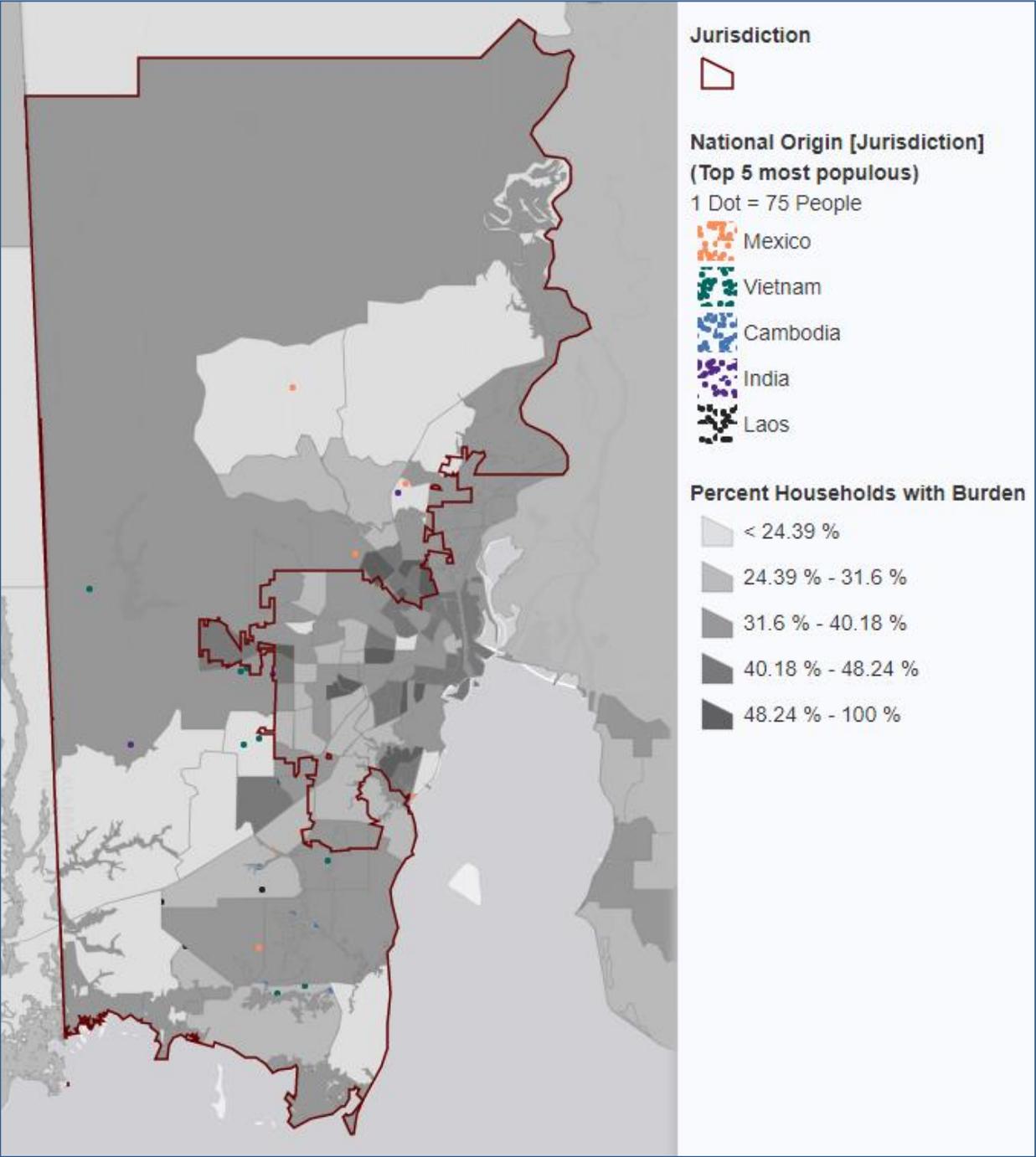
Source: CHAS

FIGURE 34 – HOUSING BURDEN AND RACE AND ETHNICITY IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 35 – HOUSING BURDENS AND NATIONAL ORIGIN IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

HOMEOWNERSHIP AND LENDING

Homeownership is vital to a community's economic well-being. It allows the opportunity to build wealth, is generally associated with higher levels of civic engagement,³² and is correlated with positive cognitive and behavioral outcomes among children.³³

Federal housing policies and discriminatory mortgage lending practices prior to the Fair Housing Act of 1968, along with continuing impediments to access, have had significant impacts on the homeownership rates of racial and ethnic minorities, particularly Black and Hispanic populations. The gap between the White and Black homeownership rate is the largest among racial and ethnic groups. In 2017, the U.S. Census Bureau reported a 21.6 percentage point gap in homeownership rate between White and Black households; just a 2.9 percentage point decrease since 1997.³⁴

Homeownership trends have changed in recent years because of significant events in the housing market and labor force. The homeownership rate for Millennials (the generation born between 1981 and 1997) is 8 percentage points lower than the two previous generations, controlling for age. This discrepancy can be attributed to a multitude of factors ranging from preference to urban areas, cost of education and associated debt, changes in marriage and childbearing patterns, rising housing costs, and the current supply of affordable houses.³⁵

Table 13 shows the number of owner and renter households, as well as the homeownership rate, by race and ethnicity for Mobile County. In the county, three-fourths of all households own their homes (75.6%). Native American and White households have the highest rates of homeownership at 83.8% and 80.3%, respectively. All other groups fall below Mobile County's average rate of homeownership. Approximately 70.2% of all Asian households own their home. This percentage falls to 65.2% for other, non-Hispanic households, 61.5% for Hispanic households and 60.3% for Black households. Similar patterns emerge in the region, although average homeownership rates in the region are lower than in the county (66.6%). Native American and White homeownership rates are 20 percentage points higher (77.6% and 75.6%, respectively) than all other groups in the region; they are at least 25 percentage point higher than Hispanic and Black households whose homeownership rates are 52.0% and 50.9%, respectively.

The maps that follow show the share of owners and renters by census tract in Mobile County. Renting is most common in the City of Prichard, where the rate of renter-occupied units reaches 62% in the census tract 40 (south of I-65 between St. Stephens Road and North Rebel Road). Other areas in with high rates of renter units include census tract 69.01 in lower Tillman's Corner, where 54% of households are renters, and census tract 51 in western Chickasaw, which has 50% renters. Some significant renter populations can

³² Manturuk K, Lindblad M, Quercia R. "Homeownership and civic engagement in low-income urban neighborhoods: a longitudinal analysis." *Urban Affairs Review*. 2012;48(5):731–60.

³³ Haurin, Donald R. et al. "The Impact of Homeownership on Child Outcomes." *Low-Income Homeownership Working Paper Series*. Joint Center for Housing Studies of Harvard University. October 2001, <http://www.jchs.harvard.edu/sites/default/files/liho01-14.pdf>.

³⁴ U.S. Census Bureau. Homeownership Rates by Race and Ethnicity of Householder: 1994 to 2017.

³⁵ Choi, Jung et al. "Millennial Homeownership: Why Is It So Low, and How Can We Increase It?" The Urban Institute. February 2000. https://www.urban.org/sites/default/files/publication/98729/millennial_homeownership_0.pdf

also be found in the census tracts within Saraland (between 40% and 41% renters) and covering Bayou La Batre (39% renters) and Citronelle (33% renters).

Homeownership is greatest in the arc of census tracts that include Creola, Satsuma, Semmes, and unincorporated areas near Big Creek Lake and Union Church. Both census tract 64.07 south of Big Creek Lake and census tract 64.06 between Airport Boulevard and Miller Creek have homeownership rates of 94%. Census tract 61.05, which includes the University of Mobile, has a 90% homeownership rate. Those census tracts which include incorporated cities, such as Creola, Satsuma, and Semmes, have homeownership rates between 82% and 87%.

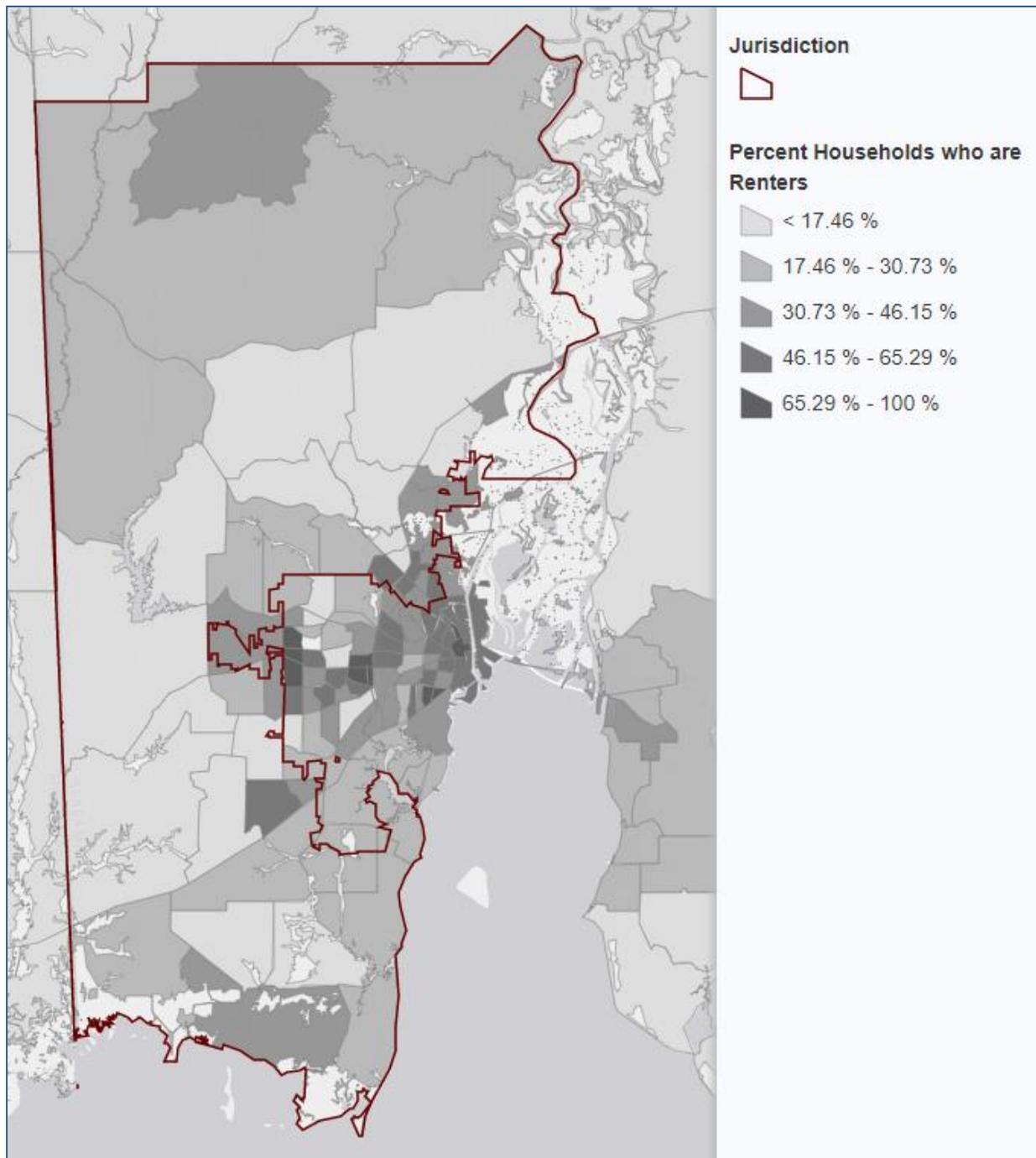
TABLE 13 – HOMEOWNERSHIP AND RENTAL RATES BY RACE AND ETHNICITY

Householder Race/Ethnicity	Mobile County			Mobile Region		
	Owner Households	Renter Households	Home-ownership Rate	Owner Households	Renter Households	Home-ownership Rate
Non-Hispanic						
White	46,670	11,465	80.3%	72,735	23,430	75.6%
Black	9,455	6,235	60.3%	26,065	25,100	50.9%
Asian	1,013	430	70.2%	1,355	1,045	56.5%
Native American	718	139	83.8%	830	240	77.6%
Other	530	283	65.2%	850	645	56.9%
Hispanic	828	519	61.5%	1,500	1,385	52.0%
Total	59,245	19,090	75.6%	103,340	51,840	66.6%

Note: Data presented are number of households, not individuals.

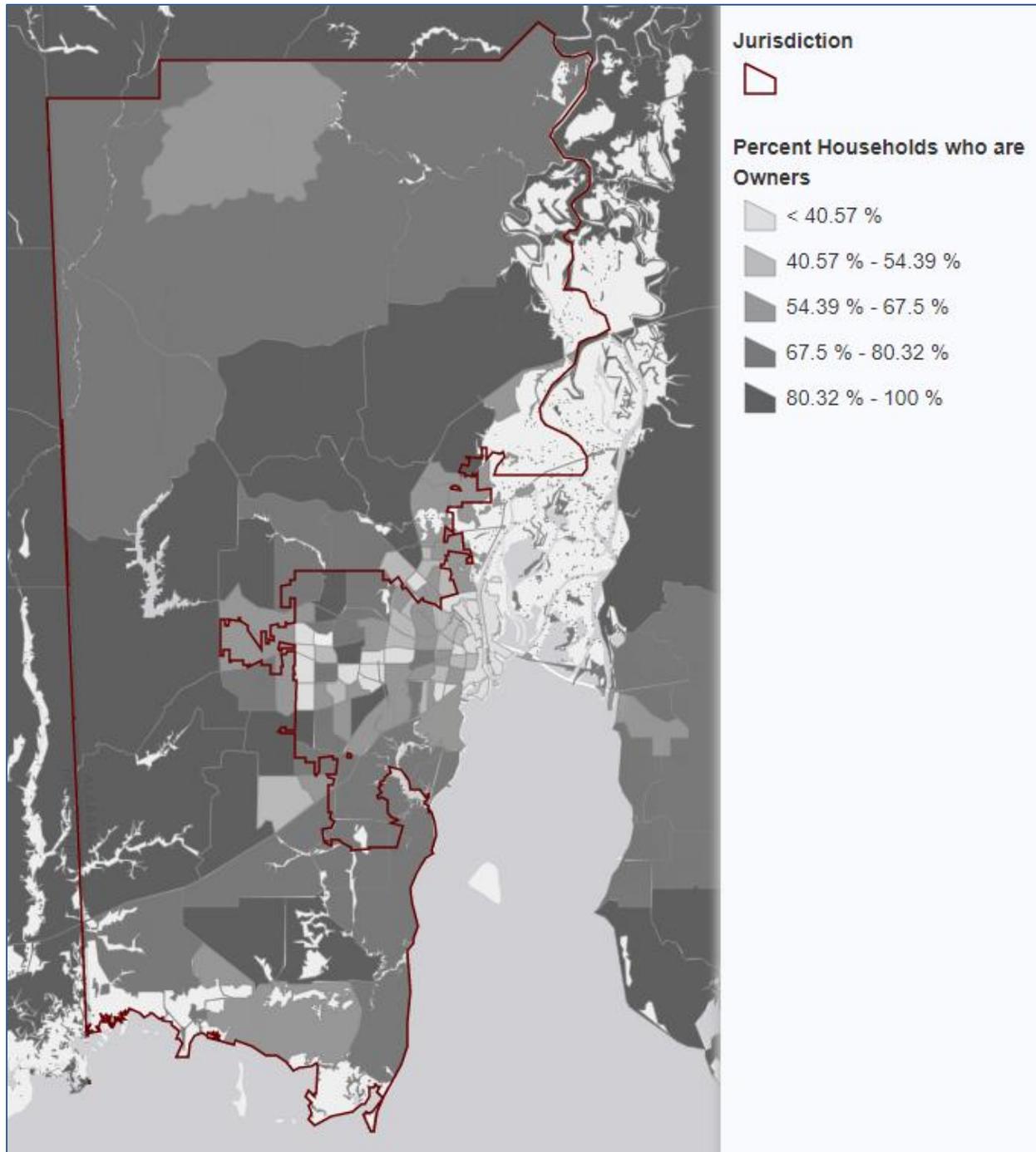
Source: CHAS

FIGURE 36 – SHARE OF HOUSEHOLDS THAT ARE RENTERS IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

FIGURE 37 – SHARE OF HOUSEHOLDS THAT ARE OWNERS IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

Mortgage Lending

Prospective homebuyers need access to mortgage credit, and programs that offer homeownership should be available without discrimination. The proceeding data and analysis assesses the degree to which the housing needs of local residents are being met by home loan lenders.

The Home Mortgage Disclosure Act of 1975 (HMDA) requires most mortgage lending institutions to disclose detailed information about their home-lending activities annually. The objectives of the HMDA include ensuring that borrowers and loan applicants are receiving fair treatment in the home loan market.

The national 2017 HMDA data consists of information for 12.1 million home loan applications reported by 5,852 home lenders, including banks, savings associations, credit unions, and mortgage companies.³⁶ HMDA data, which is provided by the Federal Financial Institutions Examination Council (FFIEC), includes the type, purpose, and characteristics of each home mortgage application that lenders receive during the calendar year. It also includes additional data related to those applications including loan pricing information, action taken, property location (by census tract), and information about loan applicants such as sex, race, ethnicity, and income.

The source for this analysis is tract-level HMDA data for census tracts in the Mobile Region for the years 2013 through 2017, which includes a total of 22,236 home purchase loan application records.³⁷ Within each record, some data variables are 100% reported: “Loan Type,” “Loan Amount,” and “Action Taken,” for example, but other data fields are less complete. According to the HMDA data, these records represent applications taken entirely by mail, Internet, or phone in which the applicant declined to identify their sex, race and/or ethnicity. Missing race, ethnicity, and sex data are potentially problematic for an assessment of discrimination. If the missing data are non-random there may be adverse impacts on the accuracy of the analysis. Ideally, any missing data for a specific data variable would affect a small proportion of the total number of loan records and therefore would have only a minimal effect on the results.

There is no requirement for reporting reasons for a loan denial, and this information was not provided for about 32.1% of home purchase loan denials. Further, the HMDA data does not include a borrower’s total financial qualifications such as an actual credit score, property type and value, loan-to-value ratio, or loan product choices. Research has shown that differences in denial rates among racial or ethnic groups can arise from these credit-related factors not available in the HMDA data.³⁸ Despite these limitations, the HMDA data play an important role in fair lending enforcement. Bank examiners frequently use HMDA data in conjunction with information from loan files to assess an institution’s compliance with fair lending laws.

³⁶ Consumer Financial Protection Bureau. “FFIEC Announces Availability of 2017 Data on Mortgage Lending.” May 7, 2018. <https://www.consumerfinance.gov/about-us/newsroom/ffiec-announces-availability-2017-data-mortgage-lending/>

³⁷ Includes applications for the purchase or refinance of one-to-four family dwellings in which the property is or will be occupied as the owner’s principal dwelling and in which the mortgage will be secured as first lien. Includes applications for conventional, FHA-insured, VA-guaranteed, and FSA/RHS-guaranteed loans.

³⁸ R. B. Avery, Bhutta N., Brevoort K.P., and Canne, G.B. 2012. “The Mortgage Market in 2011: Highlights from the Data Reported Under the Home Mortgage Disclosure Act.” Board of Governors of the Federal Reserve System. Federal Reserve Bulletin, Vol. 98, No. 6.

Complete information regarding applicant race, ethnicity, and income is available for 20,326 home purchase loan applications in the Mobile Region (91.4% of the total loan records). Most applicants were White (73.1%); Black households made up 21.2% of the applicant pool, Latinos comprised 2.5% and Asians comprised 2.0%. These shares indicate that White applicants are overrepresented compared to their regional population share of 59.6%, while Black applicants are underrepresented compared to their 34.5% regional population share. Asian and Hispanic applicants make up roughly the same shares of the loan applicant pool as population share. The table below shows loan approval rates for completed loan applications by race and ethnicity at various income levels.³⁹ Not included in these figures are applications that were withdrawn or closed due to incompleteness such that no decision was made regarding approval or denial.

TABLE 14 – HOME PURCHASE LOAN APPROVAL RATES BY RACE AND ETHNICITY IN THE MOBILE REGION, 2013 – 2017

Applicant Income		Applicant Race and Ethnicity					All Applicants
		Non-Latino				Latino/ Hispanic	
		White	Black	Asian	Other		
Low Income	Completed Applications	4,919	1,999	146	74	200	7,338
	Denial Rate	14.9%	33.3%	20.5%	39.2%	26.5%	20.6%
Middle Income	Completed Applications	5,467	322	140	103	170	7,332
	Denial Rate	10.4%	22.2%	17.1%	28.2%	12.4%	13.2%
High Income	Completed Applications	3,071	382	76	43	63	3,635
	Denial Rate	6.8%	17.0%	11.8%	16.3%	6.3%	8.1%
All Applicants	Completed Applications	13,457	3,833	362	220	433	18,305
	Denial Rate	11.2%	27.4%	17.4%	29.5%	18.0%	15.1%

Note: “Completed applications” includes applications that were approved but not accepted, denied, and approved with a loan originated. It does not include applications withdrawn by the applicant or closed for incompleteness.

Data Source: FFIEC 2013-2017 Home Mortgage Disclosure Act Data, Accessed via www.consumerfinance.gov/data-research/hmda

At low incomes, denial rates differed considerably by race and ethnicity, ranging from 14.9% for White applicants to a rate more than twice that for Black and non-Hispanic other race applicants (33.3% and 39.2%, respectively). At middle incomes, disparities continued. About 10-12% of White and Hispanic households were denied loans, compared to 22-28% for Black and non-Hispanic other race applicants. At the highest income level, denial rates were again close for White and Hispanic applicants (6-7%), but more than double for Black and non-Hispanic other race applicants (16-17%). Overall, disregarding income, about one-tenth of White applicants were denied a home loan (11.2%) compared to more than one-quarter of Black (27.4%) and non-Hispanic other race applicants (29.5%). Denial rates for Asian and Hispanic applicants (about 17-18%) were also higher than for White applicants.

³⁹ The low-income category includes applicants with a household income at or below 80% of area median family income (MFI). The middle-income range includes applicants with household incomes from 81% to 150% MFI, and the upper income category consists of applicants with a household income above 150% MFI.

Evictions and Housing Instability

The 2018 Annual Report from Housing First, Inc., the lead agency for the county's Continuum of Care, notes that some causes for housing instability include: unemployment, limited income, criminal history, poor credit, mental illness or substance abuse, disability and other traumatic life experience.⁴⁰ A previous eviction may also cause ongoing housing instability for renters for many years. Data from Evictionlab.org reports that the eviction rate in Mobile County is 3.12%, which equates to 4.8 evictions per day. Stakeholder interviews with Legal Services of Alabama note that of the 20 intakes conducted daily, most individuals are coming for assistance with evictions. According to stakeholders, most evictions (75-80%) are due to non-payment of rent. Additional reasons for eviction, as noted by stakeholders, include property damage caused by perpetrators of domestic violence, requests for increased property maintenance due to the tenant's health issues, etc. Once an eviction is on an individual's rental record, the eviction excludes residents from obtaining decent housing. With evictions on one's record, renters turn to slumlords for housing. Evictions may also lead to private landlords charging higher rates for deposits on new apartments. Evictions on a rental record, therefore, become an impediment to identifying safe and stable housing.

ZONING, AFFORDABILITY, AND HOUSING CHOICE

Comprehensive land use planning is a critical process by which communities address a myriad of public policy issues such as housing, transportation, health, recreation, environmental protection, commercial and retail services, and land values, and address how the interconnection and complexity of these issues can ultimately impact the entire municipality. "The land use decisions made by a community shape its very character – what it's like to walk through, what it's like to drive through, who lives in it, what kinds of jobs and businesses exist in it, how well the natural environment survives, and whether the community is an attractive one or an ugly one."⁴¹ Likewise, decisions regarding land use and zoning have a direct and profound impact on affordable housing and fair housing choice, shaping a community or region's potential diversity, growth, and opportunity for all. Zoning determines where housing can be built, the type of housing that is allowed, and the amount and density of housing that can be provided. Zoning also can directly or indirectly affect the cost of developing housing, making it harder or easier to accommodate affordable housing.

The following sections will explore (I) how Alabama state law impacts local land use and zoning authority and decision-making and (II) how the zoning and land use codes of eight jurisdictions of Mobile County impact housing affordability and fair housing choice within the county.

Intersection of Local Zoning with Federal and State Enabling Statutes and Fair Housing Laws

From a regulatory standpoint, local government measures to control land use typically rely upon zoning codes, zoning maps, subdivision codes, and housing and building codes, in conjunction with comprehensive plans. Courts have long recognized the power of local governments to control land use.

⁴⁰ Housing First, Inc. (2018) *2018 Annual Report*. Retrieved from: <https://hfal.org/wp-content/uploads/2019/10/2018-HFI-Annual-Report.pdf>, p. 14

⁴¹ John M. Levy. *Contemporary Urban Planning, Eighth Edition*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.

Title 11, Chapter 52 of the Alabama Code authorizes, but does not require, cities and towns to regulate land use and zoning within their respective jurisdictions. Counties may be granted authority to zone unincorporated areas of the county by specific act of the Alabama Legislature. These acts may authorize the establishment of a local county planning and zoning commission and board of adjustment to review and decide on land use proposals; allow the respective county commission to create planning districts with the unincorporated areas of the county; require the adoption of a “master plan” for the use and development of unincorporated parts of the county. No such act, however, has been passed for Mobile County.

Thus, Mobile County limits its land use planning responsibilities to subdivision regulations, commercial site plan review, and building code compliance within unincorporated areas of the County. Incorporated cities within the County—including for example, Bayou La Batre, Chickasaw, Citronelle, Creola, Mt. Vernon, Saraland, and Satsuma—have exercised their power to implement development and zoning controls and have adopted local zoning ordinances, with land use authority generally divided between their respective planning commission, board of adjustment (BOA or ZBA), and city council. The local planning commission may have site plan review authority and make recommendations to the BOA/ZBA; the BOA/ZBA may handle variance and special exception requests; and the local city council may hear and decide appeals, amendments to the zoning ordinance or map, and oversee adoption of a local comprehensive plan.

One goal of zoning is to balance individual property rights with the power of government to promote and protect the health, safety, and general welfare of the overall community. Zoning codes regulate how a parcel of land in a community may be used and the density of development. Local governments may divide their jurisdiction into zoning districts by adopting a zoning map consistent with the general plan; define categories of permitted and special/conditional uses for those districts; and establish design or performance standards for those uses. Zoning may regulate the height, shape, and placement of structures and lot sizes or shapes. Jurisdictions also can expressly prohibit certain types of uses within zoning districts. In this way, local ordinances may define the type and density of housing resources available to residents, developers, and other organizations within certain areas, and as a result influence the availability and affordability of housing.

While local governments have the power to enact and enforce zoning and land use regulations, that power is limited by state and federal fair housing laws (i.e., the Alabama Fair Housing Law, the federal Fair Housing Act (FHA), Americans With Disabilities Act (ADA), constitutional due process and equal protection). The Alabama Fair Housing Law (ALA. CODE § 24-8-2 et seq.) is substantially similar to the federal FHA. As with the FHA, the state act identifies unlawful housing practices and protects against discrimination based on race, color, religion, sex, familial status, national origin, or disability.

Fair housing laws do not preempt local zoning laws but do apply to municipalities and local government units and prohibit them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons. This includes a local government’s affirmative obligation to provide reasonable accommodations to land use or zoning policies when such accommodations may be necessary to allow persons with disabilities to have an equal opportunity to use and enjoy housing. It also includes the affirmative obligation not to segregate housing for protected classes into lower-opportunity, less desirable areas of the jurisdiction. And even where a specific zoning

decision does not violate a fair housing law, HUD entitlement communities must certify annually that they will set and implement standards and policies that protect and advance fair housing choice for all. The zoning and development codes' potential effects on accessibility are assessed in the following section.

Zoning Ordinance Review

Although comprehensive plans and zoning and land use codes play an important role in regulating the health and safety of the structural environment, overly restrictive codes can negatively impact housing affordability and fair housing choice within a jurisdiction. Examples of zoning provisions that most commonly result in barriers to fair housing choice include:

- Restrictive definitions of family that impede unrelated individuals from sharing a dwelling unit;
- Placing administrative and siting constraints on group homes for persons with disabilities;
- Restrictions making it difficult for residents with disabilities to locate housing in certain neighborhoods or to modify their housing;
- Restrictive forms of land use that exclude any specific form of housing, particularly multi-family housing, or that require large lot sizes or low-density that deter affordable housing development by limiting its economic feasibility;
- Restrictions on occupancy of alternative sources of affordable housing such as accessory dwellings, mobile homes, and mixed-use structures.

The zoning and development codes of Bayou La Batre, Chickasaw, Citronelle, Creola, Mt. Vernon, Prichard, Saraland, and Satsuma were reviewed to analyze their treatment of these types of issues. Mobile County has not adopted a zoning ordinance for unincorporated Mobile County. Several key issues identified and discussed below have the potential to negatively impact fair and affordable housing. The following is not meant to assert whether the zoning policies within the incorporated County create a per se violation of the FHA or HUD regulations, but is meant as a critique to highlight areas where zoning and land use ordinances can be further evaluated relative to underlying principles associated with fair housing protections and HUD's affirmative standards for its entitlement communities. In such cases, revisions may be appropriate to more fully protect the fair housing rights of all of Mobile County's protected and disadvantaged classes and to better fulfill the mandate to affirmatively further fair housing, while still fulfilling the zoning objective of protecting the public's health, safety, and general welfare.

Restricting housing choice for certain historically/socio-economically disadvantaged groups and protected classes can happen in any number of ways and should be viewed on a continuum. This review and analysis is not meant to assert whether a particular jurisdiction's zoning code creates a per se violation of the FHA or HUD regulations, but may identify areas where zoning and land use rules may otherwise jeopardize the spirit and intent of fair housing protections and HUD's AFFH standards for its entitlement communities. The incorporated municipalities may find there are incremental improvements to be made to zoning restrictions to more fully protect the fair housing rights and housing choice of all of its residents, to encourage development of affordable housing for all, and to better fulfill the mandate to affirmatively further fair housing.

BAYOU LA BATRE

Bayou La Batre adopted its current zoning ordinance in 2005.⁴² In 2018, the Planning Commission, with assistance from the South Alabama Regional Planning Commission, presented a draft zoning ordinance rewrite for public review to better address the needs of the city's growth and development and implement the plans of the Comprehensive Master Plan 2035. As of this report, however, the proposed amended zoning code has not yet been adopted by City Council.

Often one of the most scrutinized provisions of a municipality's zoning code is its definition of "family." Local governments use this provision to limit the number of unrelated persons who may live together in a single dwelling as a means of preserving the stable, traditional character of their neighborhoods. Unreasonably restrictive definitions may have the unintended consequence (or intended consequence, depending on the motivations behind the drafting of the jurisdiction's definition) of limiting housing for nontraditional families and for persons with disabilities who reside together in congregate living situations.

Bayou La Batre's 2005 zoning code has a very restrictive definition of family, limiting a single family to "[a]ny number of related individuals living together as a single housekeeping unit and doing their cooking on the premises."⁴³ The code's family definition excludes any number of unrelated persons from residing together. It fails to treat nontraditional, but functionally equivalent household relationships equal with those related by blood and marriage. It excludes relationships by foster care, other legal guardianship connections, or other intimate associations. The definition also could be applied in ways that limit housing choice for unrelated adults with disabilities seeking to live together in a family-like, integrated household.

All of these exclusions are problematic under due process and fair housing scrutiny because such a narrow definition of family may have a disproportionate impact on people with disabilities, minorities, and families with children. More progressive zoning and planning models define single family in terms of a "functional family" or "single housekeeping unit" (whether biologically related or not) sharing common space, meals, and household responsibilities, and/or leave maximum occupancy per dwelling as a matter of safety regulated by the building code rather than the zoning regulations.

In terms of housing choice for persons with disabilities, the current zoning ordinance does not otherwise contemplate or allow for residential group living types for unrelated persons or persons with disabilities needing onsite support or personal care services.⁴⁴

In terms of the zoning code's impact on residential development and housing affordability, the zoning code divides the residential areas of the City into 3 districts: R-1 (low density single-family), R-2 (medium

⁴² *City of Bayou La Batre Zoning Ordinance*, adopted March 22, 2005, available at http://www.cityofbayoulabatre.com/document_center/2005_495_Zoning_Ordinance.pdf.

⁴³ The proposed zoning amendment replaces the definition of family with the following: "An individual or two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit; or a group of not more than five persons not related by blood, marriage, or adoption living together as a single housekeeping unit." The new definition is much more permissive in terms of allowing nontraditional family types and congregate living situations for unrelated persons with disabilities.

⁴⁴ The proposed zoning amendment does include group living as a use category for persons who do not constitute a single family and may receive some level of personal care services.

density single family), and R-3 (high density single family, multi-family, and mobile home parks). The permitted use table, Table 9.9 of the Zoning Code, allows by right single family detached dwellings in each residential district; two-family dwellings in the R-2 and R-3 districts; and multifamily in the B-1, B-2, and M-1 commercial districts.

Table 9.10 of the Zoning Ordinance describes lot standards. Bayou La Batre’s development controls are neither the most permissive nor most restrictive for the County, but some of these development controls may result in exclusionary zoning that artificially increases housing costs and limits the potential affordable housing inventory. The minimum lot size for a single-family dwelling is 15,000 sq. ft. in the R-1 district; 10,000 sq. ft. in the R-2 district; and 7,500 sq. ft. in the R-3 district. In the R-3 district, two-family dwellings are permitted on minimum lot sizes of 10,000 sq. ft. and multifamily may be constructed on lot sizes of at least 5,500 sq. ft. for the first unit plus 2,500 sq. ft. for each additional unit (up to approximately 16 u/a). Density is further limited by maximum lot coverage (25% in R-1 and R-2 and 30% in R-3) and maximum height allowances (35 ft. in R-1 and R-2 and 50 ft. in R-3). A determination of whether a sufficient portion of the zoning map permits multifamily development to meet demand was not made.

As an alternative form of affordable housing, mobile homes are permitted in the R-3, B-1, B-2, and M-1 districts; mobile home parks and mobile home subdivisions are permitted by right in the R-3 district. Also, a Planned Unit Development of fixed dwellings or mobile home dwellings are permitted by right in the R-1, R-2, and R-3 districts, giving some opportunity for more flexibility in housing type and density. The zoning ordinance does not contemplate accessory dwelling units.

The proposed zoning rewrite continues the Safe Harbor zoning district, which currently permits single family detached homes on shared lots for more density. Safe Harbor was established in 2008 through a FEMA Affordable Housing Pilot Program (AHPP) grant intended to assist the Bayou La Batre community in the wake of Hurricane Katrina—which left many residents homeless or displaced. Safe Harbor has its own separate housing authority and is the only known government owned, nonsubsidized, non-income based, affordable housing community in the United States. It currently contains 100 beach cottage-style modular homes that provide residents with affordable, safe, and community-driven housing.

Draft Amended Zoning Ordinance 2018⁴⁵

The proposed zoning ordinance amendment reclassifies the residential zones to include more variety in lot sizes and housing types: a large lot single family estate district (SFR-E), suburban single family district (SFR), a “medium” density single- and two-family district (SFR-2), a single family safe harbor district (SFH) on un-subdivided lots, and a multifamily district (RM-3). The update also includes a mixed-use district (BMU) for residential and compatible retail/commercial uses. The proposed SFR-E district does permit accessory dwelling units, and the RM-3 district contemplates townhomes, multifamily, apartments, and condominiums as well as single family detached and attached units. The minimum lot size requirements are: 43,560 sq. ft. / 1 acre in SFR-E; 15,000 sq. ft. in SFR-1; 6,000 sq. ft. in SFR-2; and 5,000 sq. ft. for single family or 8,000 sq. ft. for first two units plus 2,500 sq. ft. per additional unit in the RM-3 district. The SFR-E, SFR-1, and RM-3 districts impose minimum square footage on single family detached first floor living

⁴⁵ *Proposed Zoning Ordinance Final Draft for Public Review*, available at: https://www.dropbox.com/s/gu34028st84uqzi/BLB%20Zoning%20Ordinance%20for%20Public%20Review_3-26-18.pdf?dl=0

space: 1,400 sq. ft., 1,200 sq. ft., and 800 sq. ft., respectively. The maximum height in the RM-3 district is 50 feet but otherwise 35 feet in the other residential districts.

Multifamily also may be constructed with special exception approval by the ZBA in the mixed use (BMU), neighborhood commercial (NC), and gateway commercial (GC) districts at medium densities. Multifamily density is limited by maximum height, 35% maximum lot coverage, and no more than 8 continuous units.

While the proposed zoning ordinance is an improvement in terms of housing availability for persons with disabilities and building in more flexibility and options for housing diversity, there are additional planning and zoning tools the city could consider to further reduce barriers to affordable housing development and potentially exclusionary zoning controls.

CHICKASAW

Chickasaw's Zoning Ordinance was adopted March 22, 2016.⁴⁶ The City adopted a somewhat restrictive definition of family in that it limits a group occupying a single dwelling unit to no more than three unrelated persons:

Family. One or more persons occupying a single dwelling unit and using common cooking facilities, provided that all persons are related by blood, adoption, marriage, or guardianship. No such family shall contain more than three (3) unrelated persons.

More permissive zoning codes do not limit the number of unrelated occupants any more than the number of related occupants as long as the dwelling's residents live together as a functionally equivalent family sharing joint use of and responsibilities for the household. Maximum occupancy is then left to the building and safety codes, rather than the zoning ordinance. Limiting a family to no more than three unrelated individuals is neither the most permissive nor most restrictive under case precedent or within Mobile County, but it does fail to treat nontraditional, but functionally equivalent, household relationships equal with those related by blood, marriage, adoption or guardianship and may have a disproportionate impact on people with disabilities, minorities, and families with children. The definition of family is facially neutral as all unrelated people—whether persons with disabilities or without—are treated similarly. However, because there is no limit on the number of persons related by blood, marriage, adoption, or guardianship that may reside together, but there is a limit on the number of unrelated persons who may reside together, application of the family definition may have the effect of disproportionately impacting protected groups more such as limiting housing choice for unrelated adults with disabilities seeking to live together in a family-like, integrated household. The effect of this definition could be viewed as disparate; however the Supreme Court has recognized the constitutionality of a local government to limit the number of unrelated individuals who may live together, as long as the restriction is reasonable and does not exclude a household which in every sense but a biological one is a single family.

The zoning ordinance includes a definition for a “community residence for the developmentally disabled (CRDD),” also known as a group home for persons with disabilities, but does not further direct where such a use may be sited, or whether such a use is to be treated more or less permissively than other single

⁴⁶ *Chickasaw Zoning Ordinance*, No. 2016-03, available at: https://sarpc.org/wp-content/uploads/2016/05/CHICKASAW-ZONING-ORDINANCE-NO.2016-03-ADOPTED_3-22-16.pdf.

dwelling units.⁴⁷ The zoning ordinance does not otherwise mention or make allowance for supportive housing for persons with disabilities, including those recovering from substance abuse.

Chickasaw's zoning code is not overly restrictive in terms of exclusionary lot and design requirements and should accommodate affordable housing development within the jurisdiction. Residential uses are permitted in the three primarily residential districts (R-1, R-2, and R-3) and several mixed-use, neighborhood commercial districts (B-1, B-2, SV, and WW). The R-1 district is a single family detached only district with a minimum lot size requirement of 11,000 sq. ft. and a density limit of 3 dwelling units per acre. The R-2 district includes single family on minimum lot sizes of 6,250 sq. ft. and maximum density of 4 u/a; and, with special exception approval from the Zoning Board of Adjustment (ZBA), two-family/duplex units on minimum 15,000 sq. ft. lots and a density limit of 7 u/a. In the R-3 district, two-family/duplex units are permitted on minimum 10,000 sq. ft. lots with maximum density of 7 u/a, and multifamily development is permitted by right on lots of 7,500 sq. ft. + 2,500 sq. ft. per additional unit, with a maximum density of 14 u/a (which is typically a low to medium density when compared to more urban jurisdictions). Maximum height in the residential districts is 35 feet / 3 stories but may be increased to 60 feet / 6 stories in the R-3 district with added minimum yard requirements.

Mixed-use developments with residential as the secondary use are permitted with Planning Commission review and approval in the following zoning districts: Neighborhood Commercial (B-1 and B-2), Shipyard Village (SV), and Working Waterfront (WW) districts. There are no specific lot requirements defined in the zoning ordinance, rather each development is subject to standards and conditions developed by the Planning Commission during site plan review. In the SV and WW districts, maximum height is 55 feet and the minimum first floor area is 600 sq. ft. / unit. In mixed-use developments, the residential use must be located in the rear of the building or on the upper floor of the building, the commercial use in the front of the building or ground floor. The number of residential dwelling units is limited to four (4) dwellings and building height limited to 3 stories.

Although minimum lot sizes for single family and two-family dwellings are more permissive than many other jurisdictions in the County, and multifamily is permitted by right in the R-3 district and with Planning Commission review and approval as part of a mixed-use development in the B-1, B-2, S-V, WW districts, there are some zoning controls that impact affordability, the potential density, economic feasibility of development, and cost to renters and homeowners. For instance, site plan review is required even for permitted by right uses for any residential developments greater than two units, and any developments built in phases require master plan review. Multifamily residential sites must be located on major or collector roads only. No more than 35% of the lot area can be occupied with buildings and a minimum of 25% of open space must be provided in the development. No more than eight continuous apartments, townhomes or condominiums per floor can be built in a row with approximately the same front line. Multifamily developments with 50 or more dwelling units must provide a recreation facility and swimming pool. For mixed-use developments, the residential dwelling units are limited to 4 dwelling units and 3 stories. And off-street parking standards require two spaces for single family and two-family and 1.5 spaces per unit for multifamily developments.

⁴⁷ CRDD: "Residential facility licensed by the state, providing food, shelter and personal guidance, with supervision, to developmentally disabled or mentally challenged persons who require assistance temporarily or permanently, in order to live in the community. Also known as a Group Home."

The city's zoning code contemplates some alternative types of dwellings which may be more affordable than fixed, single-family detached dwellings. Manufactured homes (but not mobile homes) on permanent foundations are permitted in the R-2 and R-3 districts. Accessory dwelling units are defined as either attached to a single-family principal dwelling by a common wall or located above an accessory building, such as a garage. However, accessory dwelling units are not expressly regulated further in the zoning code.

CITRONELLE

Like many other jurisdictions in the County, the City of Citronelle does not expressly regulate the siting of group homes or other supportive housing for persons with disabilities. The Zoning Ordinance of Citronelle⁴⁸ does have a more permissive definition of "family," which may allow greater opportunity for unrelated persons with disabilities to live together in a community setting in a single-family residential dwelling. Citronelle's ordinance defines a "family" as:

One (1) or more persons occupying a single dwelling unit and using common cooking facilities, provided that unless all members are related by blood, adoption or marriage no such family shall contain over five (5) persons, but that such family may also include gratuitous guests and servants in addition.

The definition of family is not facially discriminatory against persons with disabilities, though any limit on the number of unrelated persons residing together but not on the number of related persons occupying the dwelling, could have a disparate impact if it fails to treat nontraditional, but functionally equivalent, household relationships equal with those related by blood, marriage, or adoption. As long as the housing for persons with disabilities otherwise meets the zoning code's standards for single-family housing such housing could be permitted in the same manner as other single-family housing regardless of the number of unrelated persons residing there (limited only by housing occupancy standards under the applicable building/housing codes).

While Citronelle's definition is more permissive when compared to other zoning codes in the County, it neglects to address functionally equivalent relationships by foster care or other legal guardianship connections equally with those related by blood, marriage or adoption, which should be reviewed further in light of equal protection and due process.

For supportive housing for persons with disabilities with greater than five unrelated residents, the owner would have to apply to the zoning officer and/or the board of adjustment, who would have discretion to decide whether the use may be permitted if it is similar to and compatible with other permitted uses in the relevant zoning district.

The zoning and lot requirements for residential uses in the jurisdiction permit some diversity of housing and multifamily but also contain requirements that restrict potential density. The R-1 district is a single family detached only district with minimum lot size of 12,000 sq. ft. and lot coverage maximum of 30%. In the R-2 district, single family dwellings are permitted on minimum 7,500 sq. ft. lots and two-family (duplex) up to 4-family (quadplex) dwellings are permitted by right on 7,500 sq. ft. lots plus 3,000 sq. ft.

⁴⁸ *The Zoning Ordinance of the City of Citronelle*, Code of Ordinances Appendix A, available at https://library.municode.com/al/citronelle/codes/code_of_ordinances?nodeId=COOR_APXAZO.

per additional unit. Maximum height is 2 stories / 30 ft. and maximum lot coverage is 30%. The R-3 district permits single family, two-family to four-family, and multifamily developments (apartments, townhomes, condominiums) on minimum lot sizes of 7,500 sq. ft. plus 2,500 sq. ft. per additional unit. However, potential multifamily density is limited by the maximum height allowance of 2 stories / 30 ft. and maximum lot coverage.

The B-1 (local shopping) and B-2 (general business) districts also permit any residential uses permitted in the R districts. Again, density potential is limited by the maximum height allowance of 2 stories/30 ft., but other factors regarding lot size and coverage are not specified allowing for flexibility in design and usage as long as the lot is of sufficient size to be used for the purpose intended and provides adequate parking and loading facilities.

As for alternative affordable housing types, the zoning code does not contemplate accessory dwelling units, but does include a zoning district designed for manufactured and mobile homes. In the R-4 district, manufactured and mobile home developments are permitted on minimum 10-acre sites, minimum lot sizes of 3,200 sq. ft. per unit within the development, and maximum density of 6 u/a. Other single family, two-family to four-family structures, and multifamily dwellings also are permitted in the R-4 district on minimum lot sizes of 12,000 sq. ft.

CREOLA

The City of Creola's zoning ordinance⁴⁹ is similar to Citronelle's in how it defines family:

Family means one or more persons occupying a single dwelling unit and using common cooking facilities, provided that unless all members are related by blood, adoption, or marriage no such family shall contain over five persons, but that such family may also include gratuitous guests and servants in addition.

While the definition limits household size to 5 or fewer unrelated persons, the definition of family is not facially discriminatory against persons with disabilities, as it treats unrelated persons with disabilities living together the same as other groups of unrelated persons. However, as discussed previously with Citronelle's definition, Creola's definition of family neglects functionally equivalent relationships by foster care or other legal guardianship connections, which could be problematic under due process scrutiny. More progressive zoning and planning models define single family in terms of a "functional family" or "single housekeeping unit" sharing common space, meals, and household responsibilities, and leave maximum occupancy per dwelling as a matter of safety regulated by the building code rather than the zoning regulations.

Creola's zoning ordinance does not expressly regulate the siting of group homes or other supportive housing for persons with disabilities. Those with five or fewer residents should be permitted in residential districts the same as other single-family housing with five or fewer unrelated residents. Homes that do not fit the definition of family would need to apply to the BZA for special exception or variance approval.

⁴⁹ *Code of Ordinances of City of Creola*, Chapter 38 Zoning, updated June 27, 2019, available at https://library.municode.com/al/creola/codes/code_of_ordinances?nodeId=COOR_CH38ZO.

For a small town of approximately 2,000 residents, Creola's zoning ordinance accommodates a range of residential housing types and lot design specifications. The zoning code and map divide the city into five residential districts and three multi-purpose business districts which can include residential and commercial/retail/office uses. In the R-1 single family suburban district, minimum lot size is 15,000 sq. ft., the maximum lot coverage is 25%, and the maximum density is 2.5 units/acre. The R-2 district permits single family on minimum 15,000 sq. ft. lots and two-family (duplex) dwellings on minimum lot sizes of 7,500 sq. ft. per unit, 25% maximum lot coverage, and a maximum density of 4 u/a. Maximum height in R-1 and R-2 is 35 ft. The R-3 district is the manufactured/mobile home district but also permits fixed single-family dwellings, two-family/duplex dwellings, and multifamily development with minimum lot sizes of 15,000 sq. ft. for single family; 7,500 sq. ft. per unit for two-family; and 5,000 sq. ft. per unit for multifamily developments. The maximum multifamily density is 15 u/a and maximum height is 40 ft. or 4 stories, although the ordinance gives City Council discretion to approve a higher maximum height/floors. In more populated jurisdictions, this density max may restrain the economic feasibility of affordable multifamily development, but in a municipality with such a small population, it translates as more permissive and reasonable.

In 2019, Creola added two additional single-family zoning districts, R-4 and R-5, with the intent of providing medium to high density housing options for single-family residential uses. The lot requirements in the R-4 district include minimum lot size of 7,000 sq. ft., maximum lot coverage of 40%, and maximum density of 6 units/acre. In the R-5 district, the minimum lot size is reduced to 5,000 sq. ft. and maximum density increased to 8 u/a.

Residential uses also are permitted in the B business districts and parts of the M manufacturing districts. The B-1 district permits single family, two-family, multifamily, mobile homes, and planned unit developments (PUD), as does the B-2, B-3, and M-1 districts, but these latter districts require two-family dwellings to first obtain special exception approval from the BZA.

As for alternative affordable housing types, the zoning code does not contemplate accessory dwelling units, but does include a zoning district designed for manufactured and mobile homes. A manufactured home, with the appearance of a permanent house, may be located within any residential zone. Mobile homes and mobile home parks and subdivisions may be located in the R-3 district with 5,000 sq. ft. of space for each unit and fitting other minimum lot requirements.

Finally, to provide for more flexible, unified, and cohesive developments, the zoning code also establishes the planned unit development or PUD use, available in the B-1, B-2, and B-3 and M-1 and M-2 districts, and with planning commission approval in the R-1 and R-2 districts for mobile home PUDs.

While any development standards place some degree of artificial pressure on the cost of housing and limit housing diversity, density, and socioeconomic integration within many desirable neighborhoods, overall, and especially in comparison to less progressive zoning ordinances in the County, Creola's zoning code should not unreasonably exclude development of affordable dwelling types within the city.

MOUNT VERNON

The small town of Mt. Vernon is the only jurisdiction reviewed that has adopted a local nondiscrimination and fair housing ordinance. The fair housing ordinance states that "it is the policy of the town to

implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, national origin, gender, disability or familial status.” However, the definition of “family” that Mt. Vernon has adopted into its zoning code⁵⁰ is inconsistent with the policy of ensuring equal opportunity in housing for persons with disabilities and families with children. Like Bayou La Batre, Mt. Vernon’s definition is particularly restrictive as it excludes any number of unrelated persons from residing together. It fails to treat nontraditional, but functionally equivalent household relationships equal with those related by blood, marriage, and adoption.

Family means one or more persons related by blood, adoption or marriage occupying a single dwelling unit and using common cooking facilities.

This definition is potentially problematic because it neglects functionally equivalent relationships by foster care, other legal guardianship connections, and other nontraditional intimate relationships. Moreover, although the definition of family is facially neutral in its treatment of unrelated persons—as all unrelated people whether persons with disabilities or without are treated similarly, i.e. excluded—as applied to persons with disabilities, the definition may have the effect of disproportionately impacting protected groups more such as limiting housing choice for unrelated adults with disabilities seeking to live together in a family-like, integrated household. This is inconsistent with the FHAA’s requirement that local zoning rules provide a reasonable accommodation for persons with disabilities to be able to live together. The definition is potentially susceptible to challenges under due process, equal protection, privacy, and fair housing laws.

The zoning ordinance only expressly contemplates housing for persons with disabilities in its list of “permitted uses on appeal.” In the R-1, R-2, R-3, and B-2 districts, a “group assisted living facility except primarily for mental cases,” requires a special exception approval through the Board of Adjustment’s hearing and decision process. A group assisted living facility without the mental case exclusion is a “permitted use on appeal” in the B-1 district. The zoning ordinance does not further define what a group assisted living facility is, but state administrative regulations under the Department of Public Health define such use as a licensed facility that provides, or offers to provide, any combination of residence, health supervision, and personal care to three to 16 adults who are in need of assistance with activities of daily living (ADL). Under Mt. Vernon’s zoning code, a group assisted living facility could not be sited in any residential district by right, even if it otherwise functioned as a single housekeeping unit.

Accordingly, the town should follow its fair housing policy and look to amend its definition of family to allow unrelated persons to reside together and also adopt regulations that expressly permit the siting of group housing for persons with disabilities in residential zones without imposing additional burdens or permit requirements not imposed on other single family housing.

For a town of Mt. Vernon’s size, the residential lot and design requirements are not unreasonably exclusionary. There are three residential districts (R-1, R-2, and R-3) and two commercial districts which also allow residential uses (B-1 and B-2). The R-1 district permits single family dwellings only with minimum lot sizes of 10,000 sq. ft. and maximum lot coverage of 25%. The R-2 district also is a single family only district, with minimum lot sizes of 7,500 sq. ft., maximum lot coverage of 30%. The R-3 district

⁵⁰ Mt. Vernon Code of Ordinances, Chapter 38 Zoning, updated July 26, 2019, available at https://library.municode.com/al/mt._vernon/codes/code_of_ordinances?nodeId=COOR_CH38ZO.

permits single family dwellings, duplexes, townhomes, and multifamily dwellings by right. The minimum lot size requirements for any residential use in the district is 7,500 sq. ft. for the first unit plus 3,000 sq. ft. for each additional unit. Maximum density is limited to 45 bedrooms per acre. Density is also limited by the maximum lot coverage of 35% and maximum building height of 35 ft. or 2.5 stories. The B-1 local business district allows single family dwellings on minimum lot sizes of 7,500 sq. ft. with site plan review. The B-2 district allows single family and multifamily (townhomes, condos, apartments, duplexes) dwellings.

Accessory dwelling units are not permitted, but other types of alternative affordable housing are in designated districts. Manufactured and mobile homes on individual lots and mobile home parks are permitted in the R-3 and B-2 districts. Mobile home parks must have an area of not less than three acres or 15 home spaces, and individual lots must have a minimum size of 4,000 sq. ft. Placement of a manufactured or mobile home may be permitted only after the planning commission has reviewed the planned placement and determined that the manufactured home is compatible with the general appearance of homes in the surrounding area.

PRICHARD

Zoning Ordinance No. 981 of the City of Prichard provides for the establishment of residential, commercial, and manufacturing districts and regulates the uses and building and lot size requirements within those districts. The Community Development Department has a role in helping promote quality residential housing and a vibrant downtown center; the Inspections Department is tasked with enforcing the zoning and building codes for community safety. Like many other jurisdictions in the County whose zoning ordinances were adopted before the advent of community-based, family-like residential homes as the norm for persons with disabilities, Prichard's zoning ordinance does not expressly regulate the siting of group homes or other supportive housing for persons with disabilities. The zoning ordinance also does not expressly define "family" or "single household unit" or other term often used to limit the number of unrelated persons who may reside together in a single dwelling unit. Because single family is not expressly limited, the lack of a definition may allow greater opportunity for unrelated persons with disabilities to live together in a community setting in a single-family residential district.

The zoning ordinance and map divides the residential districts into two single family districts (R-1 and R-2) and two multifamily districts (R-3 and R-4).

The zoning and lot requirements for residential uses in the jurisdiction permit some diversity of housing but also contain requirements that restrict potential density. The R-1 district is a single family detached only district with minimum lot size of 12,000 sq. ft. and maximum lot coverage maximum of 25%. In the R-2 single family district, minimum lot size is 10,000 sq. ft. and maximum lot coverage is 30%. The R-3 district permits single family lots with a minimum 7,500 sq. ft. and multifamily dwellings up to four units but requires a minimum 7,500 sq. ft. lot area plus 3,500 sq. ft. per additional unit and maximum lot coverage of 35%. The R-4 district is the most permissive allowing single family dwellings and "apartments for any number of families" on minimum lot sizes of 7,500 sq. ft. for the first unit and 3,000 sq. ft. for each additional unit. The maximum lot coverage is 40%. For developments considered "group housing projects" (public housing projects, apartment projects, and shopping centers), the ordinance waives the requirement for a separate building site for each building.

Single family dwellings also are permitted in the B-4 commercial district with a maximum building coverage of 50%. R-4 uses also are permitted in the B-1 local neighborhood commercial districts and M-1 light industrial districts subject to the same R-4 district requirements.

However, density is limited in all districts not only by the minimum lot sizes, set back requirements, and lot coverage maximum, but also by the maximum building height of 2 stories / 35 feet in all residential districts.

The city's zoning ordinance contemplates some alternative types of dwellings which may be more affordable than fixed, single-family detached dwellings. Mobile homes are permitted in approved mobile home parks in the R-3, R-4, and B-3 districts, with each space containing at least 2,800 sq. ft. The ordinance also contemplates accessory dwelling units with a definition for "secondary building or dwelling" understood as a dwelling for one family built in the rear portion of the lot and erected either simultaneously with or after the erection of another dwelling on the front of the lot." Accessory structures must not exceed 2 stories or cover more than 30% of the required rear yard and must be at least 10 feet from any other structure on the lot. These secondary dwellings are not expressly regulated further in the zoning ordinance.

SARALAND

The City of Saraland went through a new zoning ordinance adoption process in 2007 to facilitate implementation of its Comprehensive Plan.⁵¹

Saraland's definition of "family," amended in 2010, is neither the most restrictive nor most permissive, but leaves open the opportunity for group living for persons with disabilities and other nontraditional families to locate in single family zoning districts.

Family. One or more persons occupying a single dwelling unit and using common cooking facilities, provided that unless all members are related by blood, adoption or marriage, no such family shall contain over five persons.

Like other jurisdictions that define related family members narrowly as connected by blood, adoption, or marriage only, excluding those functionally equivalent relationships connected by foster care, legal guardianship, or other relationships of a permanent nature, the definition could potentially be viewed as overly restrictive under due process standards. The limit of up to 5 unrelated persons is facially neutral in terms of treatment of persons with disabilities, as groups of unrelated persons with disabilities are treated the same as other groups of unrelated household members. But as discussed previously, it may disproportionately impact persons with disabilities or other protected groups (e.g. foster homes for children under familial status protection) if it can be shown that persons with disabilities more than others require group home living.

Saraland divides the development code and zoning map into six residential districts, ranging from large lot single family detached only neighborhoods to small patio home lots to low density multifamily. In the R-1 district, the minimum lot size is 15,000 sq. ft., maximum lot coverage is 30%, and maximum density is

⁵¹ *City of Saraland Land Use and Development Ordinance*, Dec. 27, 2007, available at <http://saraland.org/wordpress/wp-content/uploads/2018/03/0001-LUO-Updated-01-2018.pdf>.

2.5 units per acre. In the R-1A district, single family dwellings are permitted on much smaller 5,000 sq. ft. lots with maximum lot coverage of 38% and maximum density of 8 u/a. The R-2 and R-3 districts permit single family dwellings on minimum lot sizes of 10,500 sq. ft. (maximum density of 3 u/a) and 7,500 sq. ft. (maximum density of 3.5 u/a), respectively. The maximum height allowance in the single-family districts is 35 ft. / 2.5 stories. In the R-4 district, single family lots require a minimum of 7,500 sq. ft. (maximum density of 4.6 u/a).

Two-family/duplex dwellings also are permitted in the R-4 district on minimum 10,000 sq. ft. lots and a maximum density of 8 u/a. The R-4 district is the only district that also permits multifamily housing by right (with Planning Commission review), with a minimum lot size of 7,500 sq. ft. plus 2,500 sq. ft. per additional unit and maximum density of 14 u/a. The maximum height allowance in the R-4 district is 50 ft. / 4 stories.

Multifamily may be approved through the Planning Commission hearing and review process in the B-1 and B-2 commercial districts. Single family and two-family/duplex dwellings are special exception uses in these districts, requiring Board of Zoning Adjustment (BZA) approval through the public notice and hearing process. Single family, two-family, and multifamily dwellings are special exception uses in the B-3 and M-1 (manufacturing) districts. Maximum density up to 14 u/a may be approved as part of a Planned Unit Development (PUD) approved by the Planning Commission and may contain a mix of multifamily, single family, or two-family residential uses.

Saraland's development code does not contemplate accessory dwelling units as a permitted use. But mobile and manufactured home parks may be developed in the R-5 district. A manufactured home also may be located within any residential zone other than R-1 and R-2 if it is designed and constructed to be similar in appearance to other site-built, permanent homes in the neighborhood.

Neither Saraland's zoning map nor its history of zoning applications for multifamily or alternative housing developments (PUDs or manufactured home parks) were reviewed to determine whether a sufficient proportion of land is zoned or development applications approved to meet demand or lower barriers for multifamily or alternative affordable housing types. But on its face, Saraland's development code is within the range of land use and zoning controls in the County and is not unreasonably exclusionary.

SATSUMA

According to the City of Satsuma's website, the city is in the process of updating its zoning ordinance. As of the writing of this report, it was operating under the ordinance adopted in 2011 and amended through 2014.⁵²

Satsuma's definition, while limiting the number of unrelated persons who may reside in a single dwelling, does a better job than other jurisdictions in the County of protecting group living situations for persons with disabilities:

⁵² *Zoning Ordinance of the City of Satsuma*, adopted Nov. 14, 2011, amended Feb. 4, 2014, available at <https://cityofsatsuma.com/wordpress/wp-content/uploads/2018/09/Zoning-Ordinance-482-dated-2-4-2014.pdf>.

Family. One or more persons occupying a single dwelling unit and using common cooking facilities, provided that unless all members are related by blood, adoption or marriage, no such family shall contain over five (5) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families. Persons with disabilities, including residents of group homes, will not be excluded from the definition of “family” if the persons occupying the dwelling unit otherwise meet this definition, regardless of whether the group home is established or maintained as a for-profit or not-for-profit entity.

Like many other jurisdictions in the County, Satsuma’s definition fails to include families related by foster care or other legal guardian status as equal with those related by blood, marriage, or adoption. However, the definition explicitly protects persons with disabilities residing together in supportive group housing from being excluded from single family neighborhoods.

The zoning ordinance also protects housing for persons with disabilities by including giving the Building Inspector, Planning Commission, and other City officials with zoning-related responsibilities the directive to make “reasonable accommodations in the rules, policies, and practices of their offices so that handicapped or disabled persons or providers of housing for handicapped or disabled persons are not discriminated against and are afforded an equal opportunity to use and enjoy dwellings.” Although this obligation is required by the Fair Housing Act, it is not always explicitly adopted and expressed in local land use regulations.

Satsuma adopted a Reasonable Accommodation ordinance on June 15, 2010, as part of its settlement obligations following a lawsuit by the DOJ against the City.⁵³ The lawsuit followed a fair housing complaint by three women with disabilities who contended that the City violated the Fair Housing Act by failing or refusing to make a reasonable accommodation in rules, policies, practices, or services, which may have been necessary to afford them the opportunity to reside in a group home in an R-1 single family detached zoning district. The City and the DOJ settled the claims through a Consent Decree approved by the federal district court. The City then amended its zoning ordinance to expand the definition of “family” to include residents of group homes; amended its business license law to prohibit the denial of a license to an applicant seeking to establish or maintain a group home or other housing for the disabled on the ground that the housing is located in any residential zoning use district if (1) the household meets the zoning ordinance’s amended definition of a “family” or (2) the applicant has obtained a reasonable accommodation from the City.

The City’s Reasonable Accommodation ordinance sets out the process for requesting an accommodation, in person or in writing on a form provided by the Building Inspector and with the Building Inspector’s assistance if needed. Importantly, the process directs the City to treat as confidential to the extent possible the applicant’s private medical information. The Board of Adjustment has final decision-making authority following a recommendation from the Building Inspector and a public hearing on the non-confidential portion of the application.

⁵³ *U.S. v. City of Satsuma*, Civil Action No. 1:08-cv-00242 (S.D. Ala., consent decree entered Sept. 16, 2010) (In addition to the zoning ordinance amendments, the settlement also included \$59,000 in monetary relief to the aggrieved complainants and \$5,500 civil penalty to the DOJ.)

As for affordable or exclusionary zoning provisions, the zoning ordinance does offer some diversity in lot size and design requirements and housing type, but also includes a layer of special exception BOA review or Planning Commission review for all projects over 3 units or in the multipurpose business/commercial zones. In the R-1 single family detached district, the minimum lot size is 15,000 sq. ft. and maximum lot coverage is 25%. In the R-2 district, two-family/duplex housing is permitted along with single family detached on minimum lot sizes of 15,000 sq. ft. and max lot coverage of 40%. The R-3 district permits smaller lot sizes, 7,500 sq. ft. for single family or two-family/duplex units and maximum 40% lot coverage, but also imposes a 1,500 sq. ft. minimum living space for dwellings. In addition to single family detached and two-family units, the R-4 district also permits multifamily developments with minimum lot size of 5,000 sq. ft. per unit (15,000 sq. ft. minimum site for multifamily). The lot coverage maximum is 40%, however, the maximum height allowed is only 35 ft. / 3 stories which limits potential density.

In the B-1 and B-2 business districts and the M-1 manufacturing district, residential uses may be approved through the BOA's special exception permit process.

The zoning ordinance also contemplates planned unit developments to encourage the unified development of tracts of land with more creative and flexible concepts in site planning than would otherwise be possible through the strict application of minimum and maximum requirements of zoning districts, but while maintaining the density thresholds for the underlying zoning district. A PUD may include townhome or condominium uses, and mobile home parks as an alternative affordable housing type in the R-4, B-1, and B-2 districts on a minimum five-acre site. (Individual mobile or manufactured homes cannot be located outside of an approved mobile home park or subdivision.) The maximum density is 14 units per acre for fixed residential dwelling types or 10 u/a for mobile home developments.

SEMMESES

The City of Semmes has not adopted a zoning ordinance.⁵⁴ However, anything dealing with land use within the city's planning jurisdiction, which extends five miles outside the city limits, is governed by the Semmes Planning Commission, which reviews procedures for subdividing property and commercial development standards. The Building Inspector advises residents on building setbacks, height, building size etc. in accordance with the adopted International Building Code 2012 edition.

Impact of Zoning Provisions on Affordable Housing

Academic and market research have proven what also is intuitive: land use regulations can directly limit the supply of housing units within a given jurisdiction, and thus contribute to making housing more expensive, i.e. less affordable. Exclusionary zoning is understood to mean zoning regulations which impose unreasonable residential design regulations that are not congruent with the actual standards necessary to protect the health and safety of current average household sizes and prevent overcrowding. Zoning policies that impose barriers to housing development by making developable land and construction costlier than they are inherently can take different forms and may include: high minimum lot sizes, low density allowances, wide street frontages, large setbacks, low floor area ratios, large minimum building square footage or large livable floor areas, restrictions on number of bedrooms per unit, low maximum building heights, restrictions against infill development, restrictions on the types of

⁵⁴ City of Semmes Dept. of Planning, <https://cityofsemmesal.gov/departments/public-works/planning/>

housing that may be constructed in certain residential zones, arbitrary or antiquated historic preservation standards, minimum off-street parking requirements, restrictions against residential conversions to multi-unit buildings, lengthy permitting processes, development impact fees, and/or restrictions on accessory dwelling units.

Although these land use regulations may not be in direct violation of fair housing laws, or facially discriminatory, they may have the effect of artificially limiting the supply of housing units in a given area and disproportionately reducing housing choice for moderate to low-income families, minorities, persons with disabilities on fixed incomes, families with children, and other protected classes by making the development of affordable housing cost prohibitive. Legitimate public objectives, such as maintaining the residential character of established neighborhoods, environmental protection, or public health, must be balanced with housing needs and availability.

Most of the housing in Mobile County and the study area jurisdictions reviewed above is single-family detached, with many residential zoning districts permitting single-family detached exclusively. However, all of the jurisdictions also permit some attached and multifamily developments in certain residential and mixed-use or mixed-purpose districts. The zoning codes reviewed include development controls related to setbacks, maximum height, lot coverage, height restrictions, and minimum off-street parking requirements. Only in a few cases are minimum floor areas/ minimum unit sizes required (the R-3 district in Satsuma and the proposed SFR-E, SFR-1, and RM-3 zones in the proposed zoning rewrite for Bayou La Batre). Such land use regulations may put artificial pressures on the cost of housing and limit housing diversity, density, and socioeconomic integration within many desirable neighborhoods.

Density, minimum lot sizes, and minimum home sizes that are adequate to support housing affordability for market-rate (nonsubsidized) housing for single-family detached, attached, and multifamily units will vary by region. For example, what is considered medium or high density for one region may not be adequate for another to meet demand. A market study determination of whether a sufficient portion of each jurisdiction's zoning map permits smaller single-family detached lot sizes and home sizes or enough multifamily development to meet demand was not made. Minimum lot sizes/ density potential are not the only factors that determine whether housing will actually be affordable to those seeking it. Factors like availability of land, current housing prices and rents, market conditions, existing land-use patterns, the provision of public services and infrastructure, demand for "luxury" units, and other planning goals also have an impact on the housing affordability.

Exclusionary zoning can happen on a continuum and there is more that the County jurisdictions can potentially do to use zoning and land use policies to further remove artificial barriers to development of and access to affordable housing across all residential zones. For example, allowing attached housing types in single family districts or permitting conversion of large single-family dwellings in high-opportunity neighborhoods to 2-family, 3-family, or multifamily dwellings compatible in scale with single-family dwellings. To alleviate concerns about changing the established character of a neighborhood, general requirements about height, yard space, and architectural elements can remain unchanged in those zones, making duplexes and triplexes less daunting for neighbors. To allow more flexibility in density and affordable/workforce housing development, jurisdictions can decrease minimum lot size requirements; allow for subdivision of large lots in the low density districts into smaller infill lots; allow zero lot line, patio

homes, cottage or “tiny home” communities on small or shared lots and no minimum floor area requirements.

Municipalities can further bolster opportunity for affordable housing by allowing greater flexibility in the types of low-impact alternative types of affordable housing permitted, such as accessory dwelling units in single family districts and mobile/manufactured homes. Manufactured and mobile homes are permitted throughout the County, either on individual lots or in designated mobile home parks or subdivisions. None of the jurisdictions reviewed seem to allow accessory dwelling units. The use of accessory structures as dwellings provides private market opportunities to incorporate smaller, more affordable housing units in neighborhoods of opportunity that otherwise would be expensive places to live.

CHAPTER 7.

PUBLICLY SUPPORTED HOUSING

Publicly supported housing encompasses several strategies and programs developed since the 1930s by the federal government to ameliorate housing hardships that exist in neighborhoods throughout the country. The introduction and mass implementation of slum clearance to construct public housing projects during the mid-1900s signified the beginning of publicly supported housing programs. Government-owned and managed public housing was an attempt to alleviate problems found in low-income neighborhoods such as overcrowding, substandard housing, and unsanitary conditions. Once thought of as a solution, the intense concentration of poverty in public housing projects often exacerbated negative conditions that would have lasting and profound impact on their communities.

Improving on public housing's model of high-density, fixed-site dwellings for very low-income households, publicly supported housing programs have since evolved into a more multi-faceted approach overseen by local housing agencies. The Housing and Community Development Act of 1974 created Section 8 rental assistance programs. Section 8, also referred to as the Housing Choice Voucher (HCV) program, provides two types of housing vouchers to subsidize rent for low-income households: project-based and tenant-based. Project-based vouchers can be applied to fixed housing units in scattered site locations while tenant-based vouchers allow recipients the opportunity to find and help pay for available rental housing on the private market.

The Tax Reform Act of 1986 created the Low-Income Housing Tax Credit (LIHTC) program to incentivize development of affordable, rental-housing development. Funds are distributed to state housing finance agencies that award tax credits to qualified projects to subsidize development costs. Other HUD Programs including Section 811 and Section 202 also provide funding to develop multifamily rental housing specifically for disabled and elderly populations.

The now-defunct HOPE VI program was introduced in the early 1990s to revitalize and rebuild dilapidated public housing projects and create mixed-income communities. Although HOPE VI achieved some important successes, the Choice Neighborhoods Initiative program was developed to improve on the lessons learned from HOPE VI. The scope of Choice Neighborhoods spans beyond housing and addresses employment access, education quality, public safety, health, and recreation.⁵⁵

MOBILE COUNTY RESIDENTS ARE SERVED BY THREE HOUSING AUTHORITIES WITH ABOUT 3,300 UNITS OF SUBSIDIZED HOUSING, INCLUDING PUBLIC HOUSING, HOUSING CHOICE VOUCHERS, AND PROJECT-BASED SECTION 8 UNITS.

⁵⁵ Department of Housing and Urban Development. *Evidence Matters: Transforming Knowledge Into Housing and Community Development Policy*. 2011. www.huduser.gov/portal/periodicals/em/EM-newsletter_FNL_web.pdf.

Current publicly supported housing programs signify a general shift in ideology toward more comprehensive community investment and de-concentration of poverty. However, studies have shown a tendency for subsidized low-income housing developments and residents utilizing housing vouchers to continue to cluster in disadvantaged, low-income neighborhoods. Programmatic rules and the point allocation systems for LIHTC are thought to play a role in this clustering and recent years have seen many states revising their allocation formulas to discourage this pattern in new developments.⁵⁶ The reasons for clustering of HCVs is more complicated since factors in decision-making vary greatly by individual household. However, there are indications that proximity to social networks, difficulties searching for housing, and perceived or actual discrimination contribute to clustering.⁵⁷ This section will review the current supply and occupancy characteristics of publicly supported housing types and its geographic distribution within Mobile County.

SUPPLY AND OCCUPANCY

Mobile County residents are served by three housing authorities: The Housing Authority of the City of Prichard, the Mobile County Housing Authority, and the Housing Authority of the City of Chickasaw. Data from HUD’s A Picture of Subsidized Housing shows that there are 490 public housing units in Mobile County and 2,693 housing choice vouchers. HUD data, however, may represent an undercount of actual units. The Housing Authority of the City of Prichard reports in its 2019 Annual PHA Plan that it has 357 traditional public housing units, 56 Project-Based Section 8 units, and 2,598 housing choice vouchers in use. The Housing Authority of the City of Chickasaw identified having 312 traditional public housing units in a stakeholder interview. Furthermore, the figures shown in Table 15 do not include Project-Based Section 8 and Other Multifamily units that exist in the county. Therefore, the figures represented by HUD only make up 6.5% of the housing units in Mobile County but these figures may be greater.

TABLE 15 – PUBLICLY SUPPORTED HOUSING UNITS BY PROGRAM CATEGORY

Housing Units	Mobile County		Mobile Region	
	#	%	#	%
Total housing units	90,054		180,932	
Public housing	490	0.5%	3,144	1.7%
HCV program	2,693	3.0%	7,099	3.9%
LIHTC program	1,749	1.9%	4,337	2.4%

Source: Decennial Census; APSH; HUD User LIHTC Database

In Mobile County, 74.2% of households identify as White. Over one-half of all Mobile County residents earning between 0-30% AMI are White, as are nearly half (48.1%) of residents earning less than 50% AMI.

⁵⁶ Dawkins, Casey J. *Exploring the Spatial Distribution of Low-Income Housing Tax Credit Properties*. US Department of Housing and Urban Development, www.huduser.gov/publications/pdf/dawkins_exploringliht_assistedhousingrcr04.pdf.

⁵⁷ Galvez, Martha M. *What Do We Know About Housing Choice Voucher Program Location Outcomes? A Review of Recent Literature*. What Works Collaborative, 2010. www.urban.org/sites/default/files/publication/29176/412218-What-Do-We-Know-About-Housing-Choice-Voucher-Program-Location-Outcomes-.PDF.

Yet, White households make up only 11.1% of public housing units, 18.3% of project-based Section 8 units and 7.7% of voucher holders in the county. White households do make up 74.2% of all other multifamily housing, such as senior and disabled housing, which is comparable to their share of the population.

Black households make up only 20.1% of the county's households but many earn low to moderate incomes. Nearly 40% of very low-income residents are Black. Thirty-five percent (35.4%) of households earning less than 50% AMI are Black. Black households are disproportionately represented in publicly supported housing, comprising 85.3% of all public housing residents, 79.8% of project-based Section 8, 91.4% of voucher holders, and 23.2% of other multifamily. The high numbers of Black publicly supported housing residents may be due to the robust programming of the HACP, and Black residents' desirability for living in Prichard, as reported in stakeholder interviews. Hispanic households make up 1.7% of the population and represent 3.5% of public housing residents. The presence of Asian households in any publicly supported program does not exceed their share of the population.

The greater Mobile Region, which includes the City of Mobile, shows similar trends in racial and ethnic composition of publicly supported housing. White households make up 62.0% of population, but only compose small shares of public housing (5.7%), Project-based Section 8 (19.0%) and the HCV program (3.7%). Black households make up between 80% to 96% of these programs, despite being 33.0% of the population. As in the county, White households remain the largest users of other multifamily, with 67.2% of these households being White. However, it should be noted that in the region White households make up a smaller share of the very low and low-income households. White households make up 38.0% of very low-income households in the region and 35.6% of households earning under 50% AMI. Comparatively, Black households make up 55.8% of very low-income households and over half of those earning under 50% AMI, demonstrating greater need for publicly supported housing at the regional level. Hispanic and Asian households are underrepresented in the region's publicly supported housing.

TABLE 16 – PUBLICLY SUPPORTED HOUSING RESIDENTS BY RACE/ETHNICITY

Housing Type	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
	#	%	#	%	#	%	#	%
Mobile County								
Public Housing	92	11.1%	710	85.3%	29	3.5%	0	0.0%
Project-Based Section 8	94	18.3%	410	79.8%	1	0.2%	8	1.6%
Other Multifamily	259	74.2%	81	23.2%	6	1.7%	1	0.3%
HCV Program	105	7.7%	1,254	91.4%	10	0.7%	1	0.1%
0-30% AMI	4,748	53.3%	3,444	38.7%	148	1.7%	169	1.7%
0-50% AMI	8,015	48.1%	5,896	35.4%	303	1.8%	304	1.8%
0-80% AMI	15,883	56.5%	8,714	31.0%	685	2.4%	592	2.4%
Total Households	58,115	74.2%	15,742	20.1%	1,340	1.7%	1,442	1.7%
Mobile Region								
Public Housing	143	5.7%	2,350	92.8%	35	1.4%	1	0.0%
Project-Based Section 8	395	19.0%	1,665	80.0%	12	0.6%	9	0.4%
Other Family	458	67.2%	206	30.2%	10	1.5%	4	0.6%
HCV Program	199	3.7%	5,115	95.6%	26	0.5%	4	0.1%
0-30% AMI	7,660	38.0%	11,255	55.8%	365	1.8%	309	1.8%
0-50% AMI	13,335	35.6%	19,615	52.3%	624	1.7%	574	1.7%
0-80% AMI	25,660	42.6%	28,645	47.6%	1,329	2.2%	999	2.2%
Total Households	96,165	62.0%	51,165	33.0%	2,888	1.9%	2,394	1.9%

Note: Data presented are number of households, not individuals.

Source: Decennial Census; CHAS; APSH

GEOGRAPHY OF SUPPORTED HOUSING

In the map that follows, the locations of publicly supported housing developments are represented along with the levels of Housing Choice Voucher use, which is indicated by gray shading. Superimposed over the map are also dots representing racial/ethnic demographics.

The blue markers on the maps indicate the locations of traditional public housing developments. Three of the eight public housing developments are in East Prichard: two HOPE VI sites along West Main Street, immediately south of I-65 and the Gulf Village site along N. Wilson Ave, across from Chickasaw High School. Legacy Estates and the Oaks at Chancery are located in the southeast and southwest areas of Eight Mile. Heritage Estates in Whistler is located just west of I-65 and south of the Gum Tree Branch tributary. The Chickasaw Housing Authority buildings sit north of W. Lee Street in central Chickasaw. Lastly, Northview Manor, operated by the Mobile County Housing Authority, is located along US 45, a few miles south of the City of Citronelle.

The orange markers on the maps indicate the locations of Project Based Section 8 units. Project-Based Section 8 units offer some of the few publicly supported housing developments south of Mobile. There are two developments with proximity to Carol Plantation Road in Theodore: The Claiborne Arms Apartments located near Old Pascagoula Road and the Pearson Park Apartments near Government Boulevard. The Marc Group Homes on Sollie Road sits southwest of the City of Mobile, north of Three Notch Road. Also, in the southern portion of the county is Northfield Village in Bayou La Batre, which sits at the intersection of University Road and SR 188. There are several PBRA developments north of Mobile, including five developments clustered in the Whistler area, south of I-65, and one in southern Saraland near the commercial district on Saraland Blvd.

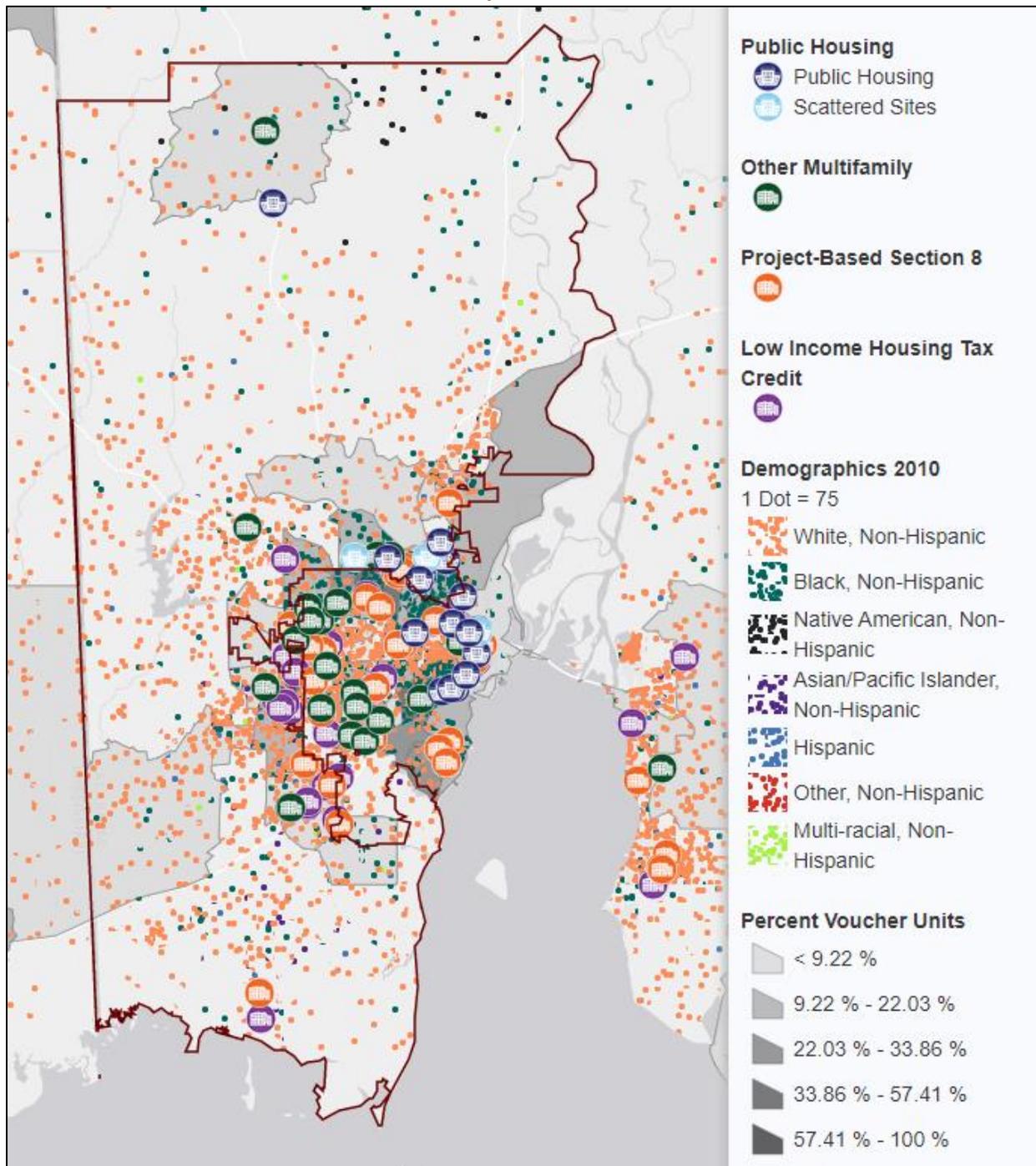
The green markers indicate the locations of Other Multifamily housing, which is typically funded through the Section 202 and Section 811 programs. The AHEPA 310-XI senior apartments are located in Theodore near the intersection of Old Pascagoula and Theodore Dawes Roads. A second AHEPA senior apartment building (AHEPA 310-X), is located in Semmes just north of the Semmes Regional Library on McCrary Road. The AHEPA website also reports owning senior apartments in Saraland and Irvington, although these sites are not indicated through the HUD AFFH Tool. The Anderson Fischer apartments on Jeff Hamilton Road is senior apartment complex located approximately 1.5 miles south of the Mobile Regional Airport. There is also a senior residence in Eight Mile, the Highpoint VOA Housing, which sits adjacent to Cochran Lake. The Onderdonk Cottages off of Shelton Beach Road in Eight Mile serve hearing impaired residents.

The purple markers on the map indicate the location of Low-Income Housing Tax Credit (LIHTC) properties, which are primarily located around the City of Mobile. The AFFH Tool indicates LIHTC properties in Eight Mile, Semmes, Theodore and Bayou La Batre. A cluster of four LIHTC properties is located along Schillinger Road and Cottage Hill Road. There are also seven indicated along Old Pascagoula Road, southwest of Tillman's Corner. The HUD LIHTC database indicates that there are 23 LIHTC properties; of these, Theodore and other unincorporated areas have the greatest number of sites (14), followed by Bayou La Batre (3), Prichard (3), Semmes (2) and Saraland (1).

The rates at which Housing Choice Vouchers (HCVs) are used are represented by the shading on the maps. HCVs are issued to households and may be used at a rental unit of the tenant's choosing to reduce the

tenant's share of rent payments to an affordable level. Therefore, unlike the publicly supported developments marked on the map, HCVs are portable and their distribution throughout the county is subject to fluctuate based on location preferences of individual voucher households and the participation of landlords in the HCV program. The areas southeast of the Mobile Regional Airport along Schillinger Road and in southern Chickasaw have the highest rates of HCVs (40% and 39% respectively). Some incorporated areas, such as Semmes and Satsuma, do not have any voucher holders. Other incorporated areas have voucher holders, but usually at low rates. Only 7% of Citronelle households use HCVs. In Saraland, this usage ranges from 3% to 12%, while HCV use in Prichard does not exceed 20% in any census tract. In its 2019 Annual PHA Plan, the Housing Authority of the City of Prichard noted that it brought 80 new landlords on board for its HCV program between June 30, 2017 and July 1, 2018, which indicates that the HCV programs continue to grow in areas where housing authorities are conducting landlord engagement.

FIGURE 38 – PUBLICLY SUPPORTED HOUSING AND RACE / ETHNICITY IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

POLICY REVIEW

The Housing Authority of the City of Prichard is the only housing authority outside of the Mobile Housing Board that is required to maintain Five-Year PHA Plans with annual plan updates, as well as other program specific policy documents. The most pertinent of these documents for review in this analysis is the Admissions and Continued Occupancy Policy, or ACOP. The ACOP sets policy for who may be housed by the housing authority and how those tenant households are selected. One aspect of the ACOP, tenant selection, is examined below. The HACP's policy on tenant selection shows the housing authority's methodology for some aspects of local determination and is among the most central to matters of fair housing choice.

The tenant selection process for the HACP begins with its waiting lists. The HACP maintains two separate waiting lists for its traditional public housing and housing choice voucher programs. The selection process has two governing admissions requirements, which include economic de-concentration and income targeting. The goal of economic de-concentration is to have families of varying incomes living together. The economic de-concentration requirement sets a preference for working families, and families with members in job training programs and educational programs. Families may be selected based on these preferences out of the waiting list order. The HACP's income targeting requires 40% of new admissions to the public housing program to be very low-income. The HACP follows a two-plus-two policy, in which two very low-income applicants are selected followed by two low- or moderate-income applicants in an effort to make sure 40% of all applicants are very low income. Only after the 40% minimum has been reached will the HACP select from its waiting list based on the date and time of the application. This tenant selection policy helps to ensure a range of fair housing options is available for individuals with varied income levels below 80% AMI.

CHAPTER 8.

HOUSING FOR PEOPLE WITH DISABILITIES

According to the U.S. Census Bureau, 19% of the population reported having a disability in 2010. Research has found an inadequate supply of housing that meets the needs of people with disabilities and allows for independent living. The U.S. Department of Housing and Urban Development identified that approximately one third of the nation’s housing stock can be modified to accommodate people with disabilities, but less than 1% is currently accessible by wheelchair users.⁵⁸

ADOPTING A REASONABLE ACCOMMODATION ORDINANCE IS ONE WAY TO ADDRESS LAND USE REGULATIONS’ IMPACT ON HOUSING FOR PEOPLE WITH DISABILITIES. MOST JURISDICTIONS IN MOBILE COUNTY DO NOT CURRENTLY HAVE A REASONABLE ACCOMMODATION ORDINANCE.

Identifying and quantifying existing accessible housing for all disabilities is a difficult task because of varying needs associated with each disability type. People with hearing difficulty require modifications to auditory notifications like fire alarms and telecommunication systems while visually impaired individuals require tactile components in design and elimination of trip hazards. Housing for people that have difficulty with cognitive functions, self-care, and independent living often require assisted living facilities, services, and staff to be accessible.

Modifications and assisted living arrangements tend to pose significant costs for the disabled population, which already experiences higher poverty rates compared to populations with no disability. Studies have found that 55% of renter households that have a member with a disability have housing cost burdens, compared with 45% of those with no disabilities.⁵⁹

RESIDENTIAL PATTERNS

In Mobile County, an estimated 35,470 persons 5-years-old or older have a disability, representing 16.4% of the total population. People aged 18-64 have the highest disability rate (10.7%), and the rate for those over 65 is 5.8%. In contrast, just 1.2% of children between the ages of 5 and 17 are disabled. The disability rates for age groups 5-17 and 18-64 are slightly lower in the Mobile Region while rates for those over the age of 65 are slightly higher.

Ambulatory disabilities are the most common type in both the county and the region comprising 10.2% of the county population and 9.9% of the region population. Cognitive and independent living disabilities are the next most common disabilities among both county and region populations. Hearing. The population experiencing difficulties with self-care and vision are the two least common disabilities each comprising

⁵⁸ Chan, S., Boshier, L., Ellen, I., Karfunkel, B., & Liao, H. . L. (2015). Accessibility of America’s Housing Stock: Analysis of the 2011 American Housing Survey. U.S. Department of Housing and Urban Development: Office of Policy Development and Research.

⁵⁹ America's Rental Housing 2017. (2017). Joint Center for Housing Studies of Harvard University.

roughly 3% of the county and region’s population. The map that follows shows the geographic distribution of persons with disabilities throughout Mobile County and the Mobile Region. The population with disabilities is evenly dispersed throughout the county and region and there are no discernible residential patterns related to age group.

Looking at opportunity indicators, Mobile County has adequate access to proficient schools and average proximity to jobs, however, poor access to transit and high transportation costs present obstacles and impediments to opportunity for disabled persons. People with many different types of disabilities are limited in their ability to drive, so transit access and walkability are important opportunity features. The lack of transportation opportunities can exacerbate problems experienced by disabled populations in areas that are high poverty or below average in labor market engagement.

TABLE 17 – DISABILITY BY TYPE

Disability Type	Mobile County		Mobile Region	
	#	%	#	%
Hearing difficulty	9,691	4.8%	16,122	4.3%
Vision difficulty	6,415	3.2%	12,312	3.3%
Cognitive difficulty	13,283	6.6%	24,041	6.4%
Ambulatory difficulty	9,691	10.2%	16,122	9.9%
Self-care difficulty	6,757	3.4%	13,075	3.5%
Independent living difficulty	13,016	6.5%	23,654	6.3%

Note: All % represent a share of the total population within the jurisdiction or region.

Source: ACS

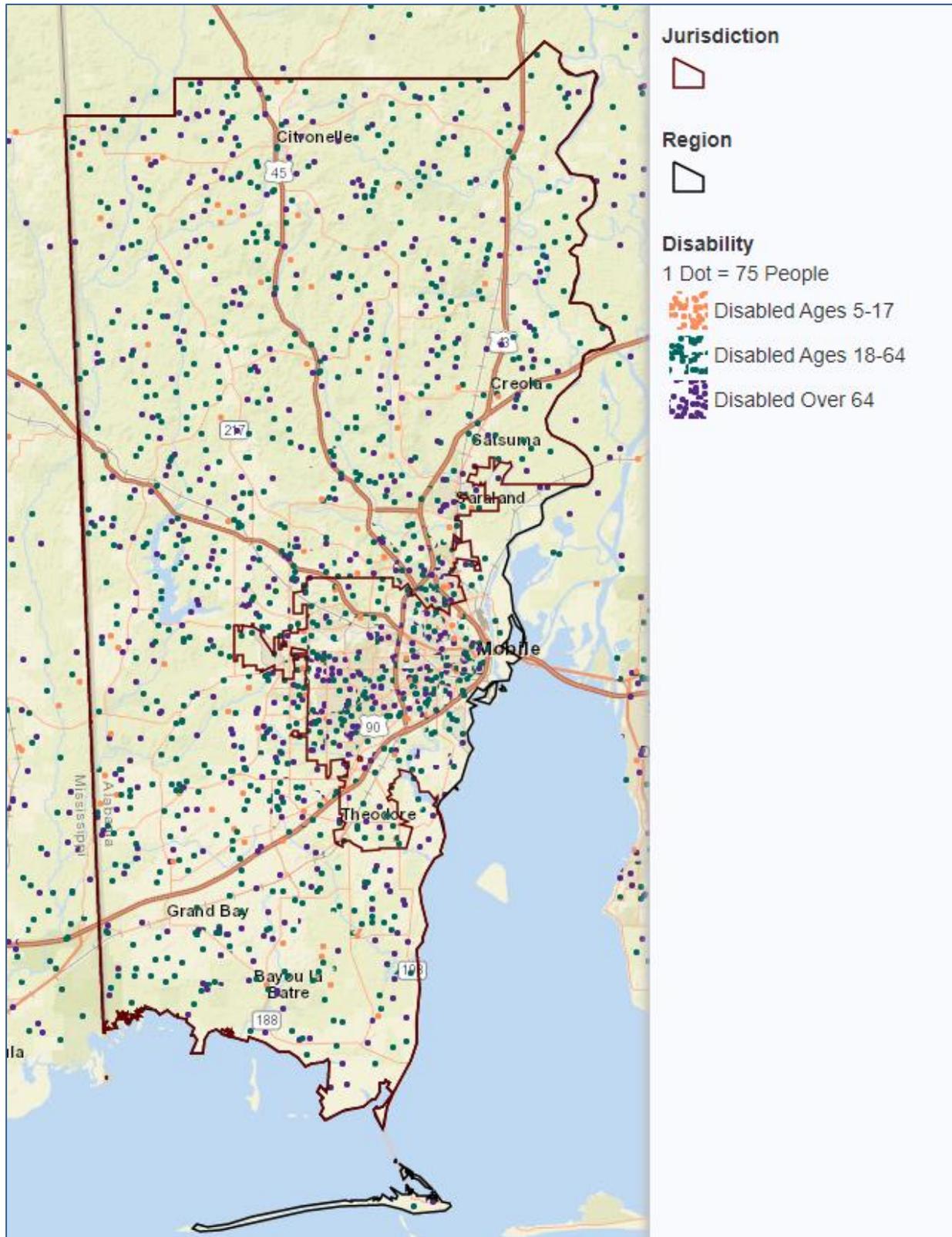
TABLE 18 – DISABILITY BY AGE GROUP

Age of People with Disabilities	Mobile County		Mobile Region	
	#	%	#	%
Age 5-17 with disabilities	2,319	1.2%	3,865	1.0%
Age 18-64 with disabilities	21,511	10.7%	36,488	9.6%
Age 65+ with disabilities	11,640	5.8%	23,157	6.1%

Note: All % represent a share of the total population within the jurisdiction or region.

Source: ACS

FIGURE 39 – PEOPLE WITH A DISABILITY BY AGE IN MOBILE COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released Nov 2017, <https://egis.hud.gov/affht/>

ACCESSIBLE HOUSING SUPPLY AND AFFORDABILITY

Supportive housing, a typically subsidized long-term housing option combined with a program of wrap-around services designed to support the needs of people with disabilities, is another important source of housing for this population. Unique housing requirements for people with an ambulatory difficulty may include accessibility improvements such as ramps, widened hallways and doorways, and installation of grab bars, along with access to community services such as transit. For low- and moderate-income households, the costs of these types of home modifications can be prohibitive, and renters may face particular hardships as they could be required to pay the costs not just of the modifications, but also the costs of removing or reversing the modifications if they later choose to move.

A search using HUD’s Affordable Apartment Search Tool was conducted to identify affordable rental properties in Mobile County designed to serve people with disabilities. The search returned 32 results; 12 properties specifically designated for people with disabilities and 15 listed as being for elderly households.

Based on a standard Supplemental Security Income (SSI) payment of \$783 per month (equating to an affordable rent of \$235 or less), it is highly likely that people with disabilities who are unable to work and rely on SSI as their sole source of income, face substantial cost burdens and difficulty locating affordable housing. Publicly supported housing is often a key source of accessible and affordable housing for people with disabilities, and in the study area, these subsidized housing options are much more likely to contain households with at least one member with a disability than the housing stock in general. The table below shows that persons with disabilities are able to access all types of publicly supported housing.

TABLE 19 – DISABILITY BY PUBLICLY SUPPORTED HOUSING PROGRAM CATEGORY

Housing Type	People with a Disability			
	Mobile County		Mobile Region	
	#	%	#	%
Public Housing	124	14.8%	544	21.1%
Project-Based Section 8	123	23.7%	355	16.8%
Other Multifamily Housing	64	17.8%	169	23.2%
HCV Program	163	11.6%	683	12.6%

Note: The definition of “disability” used by the Census Bureau may not be comparable to reporting requirements under HUD programs.

Source: ACS

ZONING AND ACCESSIBILITY

From a regulatory standpoint, local government measures to control land use typically rely upon zoning codes, zoning maps, subdivision codes, and housing and building codes, in conjunction with comprehensive plans. Courts have long recognized the power of local governments to control land use. Title 11, Chapter 52 of the Alabama Code authorizes, but does not require, cities and towns to regulate land use and zoning within their respective jurisdictions. Conditions of the zoning codes for Mobile County

municipalities affecting accessibility are assessed in the following section. Several elements of the following analysis refer back to the scored zoning review presented in Chapter 6.

Definition of “Family” and Group Housing for People with Disabilities

Many of the jurisdictions reviewed define a “family” – for purposes of controlling who may occupy a single dwelling unit – in terms that limit housing for nontraditional families, unrelated groups who need co-living accommodations for economic/cost purposes, and for persons with disabilities (including those recovering from substance addiction) who reside together in supportive, congregate living situations as an alternative to institutionalized facilities. Rather than an arbitrary limit under the zoning code on the number of unrelated persons who may reside together, a more permissive and equitable approach is to regulate maximum occupancy more as a matter of safety under the housing/building and fire codes. This also protects the jurisdiction from a challenge under the fair housing and due process laws. Another option is to add an administrative process for rebutting the presumption that a group exceeding the permitted maximum number of unrelated persons is not otherwise residing together as a single housekeeping unit and functional family.

Reasonable Accommodations

Another area for improvement would be for each jurisdiction to adopt a reasonable accommodation ordinance for making requests for reasonable accommodation/modification in land use, zoning and building regulations, policies, practices, and procedures. Satsuma is the only jurisdiction reviewed that has adopted a specific process. Federal and state fair housing laws require that municipalities provide individuals with disabilities or developers of housing for people with disabilities flexibility in the application of land use and zoning and building regulations, practices and procedures or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities. However, the FHA does not set forth a specific process that must be used to request, review, and decide a reasonable accommodation and most local governments and zoning authorities fail to provide a clear and objective process.

Often municipalities handle the mandate to provide a reasonable accommodation through their variance or special/conditional use permit procedures. However, the purpose of a variance is not congruent with the purpose of requesting a reasonable accommodation. To obtain a variance, an applicant must usually show special circumstances or conditions applying to the land, building, or use that are preexisting and not owing to the applicant. In contrast, a reasonable accommodation is to allow individuals with disabilities to have equal access to use and enjoy housing. The jurisdiction may not be able to provide reasonable accommodation if it applies a standard based on the physical characteristics of the property rather than considering the need for modification based on the disabilities of the residents of the housing. Whereas simple administrative procedures may be adequate for the granting of exceptions, the variance and conditional use permit procedures subject the applicant to the public hearing process where there is the potential that community opposition based on stereotypical assumptions about people with disabilities may impact the outcome. Adopting a reasonable accommodation ordinance that protects the applicant’s private information about his/her disability is one specific way to address barriers in land use and zoning procedures and would help municipalities more fully comply with the intent and purpose of fair housing laws.

There are model ordinances available that have been approved by HUD or the DOJ as part of fair housing settlement or conciliation agreements. These include a standardized process and gives the director of planning, or her designee, the authority to grant or deny reasonable accommodation requests without the applicant having to submit to the variance or conditional use permit or other public hearing process.

CHAPTER 9.

FAIR HOUSING ACTIVITIES

FAIR HOUSING RESOURCES

The Alabama Fair Housing Law (ALA. CODE § 24-8-1 *et seq.*) mirrors the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 *et seq.*) in terms of its protections and the grievance and enforcement process. As with the FHA, the state law prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on sex, race, color, disability, religion, national origin, or familial status. The state law does not extend protections to any other class of persons outside of those protected by the FHA.

The AFHL contemplates the adoption of local fair housing laws and would give preference to a local agency to resolve a discriminatory housing complaint where the local ordinance has been certified by HUD as “substantially equivalent” to the FHA. (*See* ALA. CODE § 24-8-12(c)). However, neither Mobile County nor the other incorporated jurisdictions reviewed has adopted a local nondiscrimination or fair housing ordinance or established a local commission empowered to receive and resolve fair housing complaints.

HUD provides funding annually through the Fair Housing Assistance Program (FHAP) to state and local agencies that enforce fair housing laws which provide substantive rights, procedures, remedies, and judicial review provisions that are certified by HUD as “substantially equivalent” to the Fair Housing Act. FHAP grantees are empowered to conduct all phases of a housing discrimination complaint including intake, processing, investigation, determination of findings, and adjudication and enforcement. HUD states that some of the advantages to FHAP certification include funding availability, local complaint processing and enforcement, and opportunities for partnerships with private fair housing advocacy organizations that affirmatively further fair housing. HUD’s experience has shown that having fair housing advocates and enforcement powers locally benefits the aggrieved parties and the community. Local fair housing professionals have greater familiarity with the local housing stock, culture, and challenges or impediments to fair housing. Additionally, HUD finds that use of a local fair housing organization in closer proximity to the site of the alleged discrimination versus a regional office of the federal government may lead to greater efficiency in case processing. Unfortunately, in Alabama, no state agency or nongovernmental organization has been qualified by HUD to participate in FHAP.

Although Alabama lacks a HUD certified FHAP agency, three Alabama nonprofit fair housing advocacy organizations serving different regions of the state have been awarded grant funding under HUD’s Fair Housing Initiatives Program (FHIP). FHIP funds help nonprofit organizations carry out investigations and other enforcement activities to prevent or eliminate discriminatory housing practices. The Central Alabama Fair Housing Center, previously known as the Mobile Fair Housing Center, Inc., has been a multi-year grant awardee, including both a \$300,000 PEI (Private Enforcement Initiative) and \$125,000 EOI (Education and Outreach Initiative) grant in 2019.

The Center for Fair Housing (CFH) serves residents of southwest Alabama in Baldwin, Choctaw, Clarke, Conecuh, Escambia, Mobile, Monroe and Washington counties. Since its inception, CFH has partnered



MOBILE COUNTY RESIDENTS ARE SERVED BY THE CENTER FOR FAIR HOUSING WHICH PROVIDES FAIR HOUSING EDUCATION AND ENFORCEMENT SERVICES.

with the DOJ and HUD to prosecute and settle housing discrimination cases on behalf of its clients, filed hundreds of fair housing complaints with HUD, and assisted hundreds of clients with retaining decent and safe housing, landlord/tenant mediation, and reasonable accommodations and modifications for clients with disabilities.

CFH has pledged to use its FHIP funding to continue, expand, and/or implement broad investigation and enforcement strategies with activities that include: recruiting and training testers; providing training in fair housing and civil rights enforcement; conducting accessibility workshops; conducting compliance audits for housing for persons with disabilities; partnering with other fair housing advocacy organizations; and conducting a regional fair housing summit during National Fair Housing Month.

FAIR HOUSING COMPLAINTS

Under state law, the Alabama Department of Economic and Community Affairs (ADECA) is charged with administering and enforcing the provisions of the AFHL. (ALA. CODE § 24-8-9 et seq.) ADECA is authorized to receive complaints of housing discrimination, investigate, conciliate, make a final administrative disposition, and commence and maintain a civil action on behalf of aggrieved parties. Upon a finding by the administrative hearing panel that the respondent has violated state or federal fair housing prohibitions, state law authorizes ADECA to impose injunctive relief, damages, a civil penalty, and attorney fees.

However, due to lack of funding or priority or will (or all of these), ADECA currently does not have in place the staff, mechanisms, and resources to receive, investigate, and resolve through conciliation/mediation or prosecution complaints of discriminatory housing practices. Rather, ADECA merely refers aggrieved parties to file a complaint with HUD.

An individual in Mobile County who believes he or she has been the victim of an illegal housing practice under the FHA may seek assistance from the Center for Fair Housing or file a complaint with the appropriate HUD Regional Office of Fair Housing and Equal Opportunity (FHEO) within one year of when the discriminatory practice occurred. The aggrieved party also may file a lawsuit in federal district court within two years of the discriminatory act (or in the case of multiple, factually-related discriminatory acts, within two years of the last incident). Where an administrative action has been filed with HUD, the two-year statute of limitations is tolled during the period when HUD is evaluating the complaint.

After the FHEO receives a complaint, it will notify the alleged discriminator (respondent) and begin an investigation. During the investigation period, the FHEO will attempt through mediation to reach conciliation between the parties. If no conciliation agreement can be reached, HUD must prepare a final “Determination” report finding either that there is “reasonable cause” to believe that a discriminatory act has occurred or that there is no reasonable cause. If the FHEO finds “reasonable cause,” HUD must issue a “Charge of Discrimination.” If the FHEO determines that there is no “reasonable cause,” the case is

dismissed. The advantages of seeking redress through the administrative complaint process are that HUD takes on the duty, time, and cost of investigating the matter for the complainant and conciliation may result in a binding settlement. However, the complainant also gives up control of the investigation and ultimate findings.

If a charge is issued, a hearing/trial will be scheduled before an administrative law judge. The ALJ may award the aggrieved party injunctive relief, actual damages, and also impose civil penalties; but unlike federal district court, the ALJ may not impose punitive damages. Administrative proceedings are generally more expedited than the federal court trial process.

Housing discrimination claims may be brought against local governments and zoning authorities and against private housing providers, mortgage lenders, or real estate brokers.

Complaints Filed with HUD

Region IV of the Office of Fair Housing and Equal Opportunity (FHEO) receives complaints by households regarding alleged violations of the Fair Housing Act for cities and counties throughout Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. To achieve its mission of protecting individuals from discrimination, promoting economic opportunity, and achieving diverse, inclusive communities, the FHEO receives and investigates complaints of housing discrimination, and leads in the administration, development, and public education of federal fair housing laws and policies.

The Atlanta Regional Office of the FHEO maintains data reflecting the number of complaints of housing discrimination received by HUD regarding housing in the Mobile Region, the status of all such complaints, and the basis/bases of all such complaints, and responded to the request for relevant complaint data. The office responded to a request for data regarding complaints received affecting housing units in the region (i.e., Mobile County including the City of Mobile) for the five-year period January 1, 2015, through December 31, 2019.

From January 1, 2015 to December 31, 2019, HUD reported the filing of 41 complaints alleging housing discrimination in Mobile County. The majority of these (31 or 75%) are related to violations occurring in the City of Mobile. Other Mobile County jurisdictions where complaints occurred include Chickasaw, Eight Mile, Irvington, Prichard, Saraland, Semmes, Theodore, and Whistler.

Most of the complaints (83%) cited discriminatory terms, conditions, privileges, services, and facilities as either the primary or one of the issues. Failure to permit reasonable modification or accommodation is the second most common issue identified in 22% of filed complaints. Although not as frequent, 15% of complainants cited discriminatory refusal to rent or negotiate for rental while 10% reported instances of false denial or representation of availability. Just a small number of complaints were filed for discriminatory financing, discrimination in selling of residential real property, refusal to provide municipal services or property, and discrimination in loan terms.

The data for reported cases also lists the basis of discrimination of which the complainant may cite more than one basis of discrimination in a single complaint. Race and disability were the most common bases of discrimination comprising 49% and 34%, respectively, of all complaints filed. Gender (12%), familial status (10%), and retaliation (5%) were also reported as bases of discrimination.

Of the 41 complaints filed, 41% of the cases were determined to have no cause while 32% were reconciled and settled successfully. Two complaints were withdrawn by the complainant after reaching a resolution, however, one complaint was withdrawn without resolution. There were three cases that were close due to lack of jurisdiction, an election made to go to court, and inability to locate the complainant. Five cases remained open as of the date HUD's data was reported.

From 2015 to 2019, the most complaints were filed in 2015 with 12 cases reported by HUD. The number of complaints decreased by about half in 2016 and 2017 before increasing slightly to eight complaints annually in 2018 and 2019. The average time between the filing date and closure date was 161 days for closed all cases from January 1, 2015 to December 31, 2019.

TABLE 20 – FAIR HOUSING COMPLAINTS RECEIVED BY HUD FOR THE MOBILE REGION FOR PREVIOUS 5 YEAR PERIOD

City	Filing Date	Closing Date	Basis	Issue	Closure Reason	Settlement Amount
Mobile	1/15/2015	4/24/2015	Sex	Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable	Unable to locate complainant	
Mobile	1/30/2015	3/31/2015	Race	Discriminatory terms, conditions, privileges, or services and facilities; Discriminatory acts under Section 818 (coercion, etc.)	No cause determination	
Mobile	2/18/2015	3/23/2015	Retaliation	Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable; Discriminatory acts under Section 818 (coercion, etc.)	Conciliation/settlement successful	\$0
Mobile	3/27/2015	10/6/2015	Race	Discrimination in the selling of residential real property; Discrimination in terms/conditions/privileges relating to sale; Otherwise deny or make housing unavailable; Discriminatory acts under Section 818 (coercion, etc.)	No cause determination	
Mobile	4/13/2015	8/19/2015	Race, Disability	Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable; Failure to permit reasonable modification	Conciliation/settlement successful	\$5,000
Mobile	4/10/2015	7/22/2015	Race	Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable	Conciliation/settlement successful	\$5,000
Mobile	4/15/2015	9/16/2015	Race	Discriminatory advertising, statements, and notices; Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable	Conciliation/settlement successful	\$5,000
Mobile	8/7/2015	1/27/2016	Sex, Familial Status	Discriminatory refusal to rent and negotiate for rental; Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable	Complaint withdrawn by complainant after resolution	
Mobile	8/10/2015	11/18/2015	Disability	Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable; Failure to make reasonable accommodation	No cause determination	

TABLE 20 – FAIR HOUSING COMPLAINTS RECEIVED BY HUD FOR THE MOBILE REGION FOR PREVIOUS 5 YEAR PERIOD (CONTINUED)

City	Filing Date	Closing Date	Basis	Issue	Closure Reason	Settlement Amount
Mobile	9/21/2015	1/29/2016	Disability	Discriminatory refusal to rent; Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable; Failure to make reasonable accommodation	No cause determination	
Mobile	9/25/2015	6/21/2018	Disability	Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable; Failure to make reasonable accommodation	Conciliation/settlement successful	\$117,500
Irvington	10/28/2015	3/1/2016	Race	Discriminatory advertising, statements, and notices; Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable	No cause determination	
Mobile	6/8/2016	3/2/2017	Race	Discriminatory refusal to sell; Discriminatory refusal to negotiate for sale; Discrimination in terms/conditions/privileges relating to sale; Otherwise deny or make housing unavailable	No cause determination	
Mobile	6/16/2016	1/30/2017	Race	Discriminatory refusal to rent; Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable	No cause determination	
Mobile	7/7/2016	4/21/2017	Race	Discriminatory financing (includes real estate transactions); Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable	No cause determination	
Mobile	8/9/2016	9/22/2016	Sex, Disability	Discriminatory financing (includes real estate transactions); Discrimination in the selling of residential real property; Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable	Conciliation/settlement successful	\$2,500
Eight Mile	9/26/2016	3/13/2017	Race, Disability	Discriminatory terms, conditions, privileges, or services and facilities	No cause determination	
Chickasaw	12/29/2016	1/19/2017	Race	Discrimination in terms/conditions/privileges relating to rental; Discriminatory acts under Section 818 (coercion, etc.)	Conciliation/settlement successful	\$258

TABLE 20 – FAIR HOUSING COMPLAINTS RECEIVED BY HUD FOR THE MOBILE REGION FOR PREVIOUS 5 YEAR PERIOD (CONTINUED)

City	Filing Date	Closing Date	Basis	Issue	Closure Reason	Settlement Amount
Mobile	12/30/2016	2/22/2017	Familial Status	Discriminatory refusal to rent and negotiate for rental; Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable	No cause determination	
Mobile	1/3/2017	2/1/2017	Race	Discriminatory financing (includes real estate transactions); Discrimination in the terms/conditions for making loans; Discriminatory terms, conditions, privileges, or services and facilities	Conciliation/settlement successful	\$5,000
Mobile	1/3/2017	2/7/2017	Disability	Discriminatory terms, conditions, privileges, or services and facilities; Failure to make reasonable accommodation	Conciliation/settlement successful	\$400
Mobile	1/3/2017	1/19/2017	Color	False denial or representation of availability - rental; Discriminatory terms, conditions, privileges, or services and facilities	Conciliation/settlement successful	\$300
Mobile	9/18/2017	5/28/2019	Disability	Discriminatory terms, conditions, privileges, or services and facilities; Failure to make reasonable accommodation	Election made to go to court	\$40,000
Semmes	9/19/2017	1/3/2018	Disability, Retaliation	Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable; Failure to make reasonable accommodation	No cause determination	
Mobile	12/14/2017	3/23/2018	Disability	Discriminatory terms, conditions, privileges, or services and facilities; Failure to make reasonable accommodation	No cause determination	
Mobile	1/25/2018	5/17/2018	Disability	Otherwise deny or make housing unavailable; Failure to make reasonable accommodation	Conciliation/settlement successful	\$1,500
Eight Mile	1/29/2018		Race	Discriminatory terms, conditions, privileges, or services and facilities; Refusing to provide municipal services or property		
Mobile	4/2/2018	4/25/2018	Race	Discriminatory refusal to rent and negotiate for rental; Discrimination in terms/conditions/privileges relating to rental	Complaint withdrawn by complainant without resolution	

TABLE 20 – FAIR HOUSING COMPLAINTS RECEIVED BY HUD FOR THE MOBILE REGION FOR PREVIOUS 5 YEAR PERIOD (CONTINUED)

City	Filing Date	Closing Date	Basis	Issue	Closure Reason	Settlement Amount
Mobile	6/26/2018	4/30/2019	Race	Discrimination in terms/conditions/privileges relating to rental	No cause determination	
Mobile	7/12/2018	8/6/2018	Familial Status	Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable	Complaint withdrawn by complainant after resolution	
Prichard	8/10/2018	4/26/2019	Disability, Familial Status	Discriminatory terms, conditions, privileges, or services and facilities; Failure to make reasonable accommodation	Conciliation/settlement successful	\$100
Whistler	12/13/2018	1/16/2020	Disability	Otherwise deny or make housing unavailable; Failure to make reasonable accommodation	No cause determination	
Mobile	12/21/2018	3/28/2019	Race	Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable; Discriminatory acts under Section 818 (coercion, etc.)	No cause determination	
Mobile	3/28/2019	6/21/2019	Disability	Failure to make reasonable accommodation	Conciliation/settlement successful	\$500
Mobile	6/12/2019	8/29/2019	Race, Sex	Discrimination in the making of loans; Discrimination in the terms/conditions for making loans	No cause determination	
Mobile	7/9/2019		Sex	Discrimination in terms/conditions/privileges relating to rental; Discrimination in services and facilities relating to rental; Otherwise deny or make housing unavailable; Discriminatory acts under Section 818 (coercion, Etc.)		
Whistler	7/19/2019	11/19/2019	Sex	Discrimination in terms/conditions/privileges relating to rental; Otherwise deny or make housing unavailable; Discriminatory acts under Section 818 (coercion, Etc.)	No cause determination	
Theodore	9/30/2019		Race	Discriminatory refusal to rent; False denial or representation of availability - rental; Discriminatory terms, conditions, privileges, or services and facilities		\$3,000

TABLE 20 – FAIR HOUSING COMPLAINTS RECEIVED BY HUD FOR THE MOBILE REGION FOR PREVIOUS 5 YEAR PERIOD (CONTINUED)

City	Filing Date	Closing Date	Basis	Issue	Closure Reason	Settlement Amount
Saraland	12/2/2019		Race	Discriminatory terms, conditions, privileges, or services and facilities		
Mobile	12/20/2019		Race	False denial or representation of availability; Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable		
Mobile	12/20/2019	1/17/2020	Race	False denial or representation of availability; Discriminatory terms, conditions, privileges, or services and facilities; Otherwise deny or make housing unavailable	Dismissed for lack of jurisdiction	

Source: HUD Region IV Office of Fair Housing and Equal Opportunity (FHEO)

PAST FAIR HOUSING GOALS AND RELATED ACTIVITIES

Mobile County last completed an Analysis of Impediments to Fair Housing Choice in 2015. That AI identified six overarching impediments to fair housing choice in the county, along with remedial actions to address each. These impediments and actions are shown below, along with progress made by Mobile County toward addressing them.

1. Housing Affordability and Insufficient Income is Impeding Fair Housing Choice

- Income distribution data show a higher proportion of lower income households within the African American and Hispanic communities disparately impacting the cost of housing and a limited supply of affordable and subsidized housing to address their needs.
- There are geographical concentrations of depressed and obsolete housing stock, some of which is in poor and deteriorated condition, including both private and subsidized, single family and multifamily housing.
- Household incomes are not keeping pace with market prices of housing and many households are “cost burdened” paying more than 30% and even “severely cost burdened” paying 50% or more of their household income for housing and housing related expenses.
- Affordable housing and rental subsidies for extremely low-income, special needs populations such as seniors, victims of domestic violence, former convicted felons, and people with disabilities are inadequate.
- Inadequate supply of units and affordability among units for large families with 4 or more children and those housing their extended family households. Multi-generational families and extended families are impacted, particularly immigrant and ethnic populations with varying cultural differences in the concept of families and living.

SUGGESTED REMEDIAL ACTIONS

- Support the increased production of affordable housing through public private partnerships with developers and capacity building for nonprofits.
- Facilitate access to below-market-rate units.
- Maintain a list of partner lenders.
- Identify and seek additional sources of funds for affordable housing.
- Encourage private sector support for affordable housing initiatives.
- Expand opportunities to increase the supply of assisted and affordable housing through streamlined and expedited development regulations and policy.

MOBILE COUNTY PROGRESS SINCE 2015

- Using HUD grant funds, the County helped construct 246 affordable rental units of which 24 were designated HOME units, and 5 affordable for-sale units, along with providing financial assistance to 23 homebuyers. Twenty-nine (29) of the households assisted were African American, 13 were Multi-Racial, and 1 was Latino.
- The County provides links to affordable housing units on its website.

2. Public Awareness of Fair Housing and Greater Outreach and Education are Needed for the General Public, Protected Class Members, and Industries Providing Housing, Mortgage Financing, Social Services and Community Programming

- Greater public awareness, outreach and education of fair housing is needed.
- Continued emphasis on fair housing enforcement, including training and testing is needed.
- Targeted outreach and education to immigrant populations that have limited English proficiency, language speaking barriers, and other protected classes is needed.

SUGGESTED REMEDIAL ACTIONS

- Increase fair housing education and outreach to raise awareness and increase effectiveness of fair housing ordinances.
- Partner with local industry to conduct ongoing outreach and education regarding fair housing for the general public and focused toward protected class members, renters, home seekers, landlords, and property managers.
- Encourage fair housing enforcement agencies to target increased fair housing testing for multifamily properties.

MOBILE COUNTY PROGRESS SINCE 2015

- The Mobile County Commission provided scholarship funds for the local fair housing agency's "Regional Justice Leadership Summit."

3. Increased Availability of Public Transportation and Mobility

- Public transportation provides limited service after 6:00 pm to accommodate second and third shift workers, and direct routes to some existing and emerging employment centers and social service locations.
- Transit's accessibility remains an obstacle for some special needs groups such as seniors and people with disabilities. Some rural communities in the County have limited access to public transportation.

SUGGESTED REMEDIAL ACTION

- Expand routes and services times for public transportation to employment centers.

MOBILE COUNTY PROGRESS SINCE 2015

- TBD

4. Disparate Impacts of Mortgage Lending on Minority Populations and Lower Income Areas and Lingering Impacts of the Subprime Mortgage Lending Crisis and Increased Foreclosures

- Greater emphasis is needed on programs and educations that increase financial literacy and counseling for renters and buyers.

SUGGESTED REMEDIAL ACTIONS

- Apply for competitive and non-entitlement state and federal funding and assistance for foreclosure programs.
- Apply for competitive and non-entitlement state and federal funding for financial literacy education programs. Emphasize financial literacy in fair housing and outreach programs.
- Encourage banks and traditional lenders to offer products addressing the needs of households currently using predatory lenders.

MOBILE COUNTY PROGRESS SINCE 2015

- The County provided homebuyer counseling through its CDBG program to help participants understand the responsibilities of homeownership.
- Using CDBG funds, the County contracted with the Family Counseling Center of Mobile/Consumer Credit Counseling Service of Mobile to provide housing and financial counseling services.

5. Barriers to Fair Housing Choice Impact Special Need Populations, Minorities and Low Income

- Expand the supply increase affordability of housing for senior, special needs housing and housing for disabled persons.
- Remove barriers for persons with limited English proficiency enabling them to better access the housing market.
- Current rental subsidy programs offered by the public and assisted housing programs have insufficient funding to meet the needs of households on their waiting list and other currently cost burdened or in overcrowded conditions.

SUGGESTED REMEDIAL ACTIONS

- Provide language assistance to persons with limited English proficiency.
- Continue to implement and Affirmative Fair Housing Marketing Plan to create fair and open access to affordable housing.
- Continue to encourage recruitment of industry and job creation that provide living wages to persons currently unable to afford market rate housing.
- Increase alternative housing choices for seniors such as senior housing/tax credit financing and cottage housing for elderly homebuyers.

MOBILE COUNTY PROGRESS SINCE 2015

- The County Commission adopted the Americans with Disabilities Act (ADA) Transition Plan for Mobile County. Developers building private developments are required to comply with ADA in multi-family rental properties and to make reasonable accommodations for people with disabilities.

6. Limited Resources to Assist Lower Income, Elderly and Indigent Homeowners Maintain their Homes and Stability in Neighborhoods

- Expanded resources are needed to assist lower income persons, seniors, and other special needs groups with maintaining homes and improving neighborhood stability.

SUGGESTED REMEDIAL ACTIONS

- Design and implement a centralized program of self-help initiatives.
 - Increase self-help initiatives such as “fix-up,” “paint-up,” or “clean-up” campaigns and “corporate repair projects.”
 - Implement a youth build and repair program in conjunction with the local school district or the Mobile County Housing Authority.
 - Organize a “Compliance Store.”
 - Increase emphasis on “adopt-a-block” and “adopt-an-intersection” campaigns.

MOBILE COUNTY PROGRESS SINCE 2015

- TBD

CHAPTER 10.

IDENTIFICATION OF IMPEDIMENTS

Described below are the fair housing impediments identified in this Analysis of Impediments, along with associated contributing factors. Contributing factors are issues leading to an impediment that are likely to limit or deny fair housing choice or access to opportunity. Recommended activities to address the contributing factors are provided in Table 21, along with implementation timeframes and responsible parties.

Impediment #1: Low Labor Market Engagement Restricts Access to Opportunity Among Protected Classes

Opportunity Index data in Chapter 5 points to low levels of labor market engagement (a HUD-defined index based on labor force participation, educational attainment, and employment) and moderate levels of poverty across racial and ethnic groups in Mobile County. In particular, the county's Black and Native American populations are more likely to reside in areas of the county with lower levels of labor market engagement and higher levels of poverty. Low labor market engagement drives down wages, thus restricting housing choice and access to opportunity. Combined, the county's low labor market engagement among protected classes and moderate segregation levels contribute to racially and ethnically concentrated areas of poverty in Mobile County.

Place-based strategies allow for the targeting of resources and outreach efforts to areas with high proportions of residents whose housing choices may be limited by low earnings or unemployment. These strategies can be combined with other approaches focused on closing skills gaps and developing career pathways, increasing job creation and quality standards, and raising the wage floor. Examples of place-based strategies to increase labor market engagement include increasing awareness of high-growth jobs that pay family-sustaining wages and connections to the training necessary to obtain them; expanding public transportation routes, lengthening service hours, and expanding transportation options between areas with high concentrations of low-earning workers; and targeting neighborhoods with high proportions of low-earning workers as priorities for interventions that increase awareness of available subsidies and resources.⁶⁰ Access to affordable housing that is close to transportation services is particularly important in supporting labor market engagement in Mobile County, as about 50% of employed residents living in the county (outside of the City of Mobile) commute into the city or outside of Mobile County for work.

Planning efforts underway in the county and region focus on increasing labor market engagement and earnings in Mobile County through economic and workforce development. For example, the Mobile Area Chamber of Commerce's Education and Workforce Development Division supports partnerships among industry clusters, secondary and post-secondary education, and other training providers. Southwest

⁶⁰ Nelson, M., Wolf-Powers, L., & Fisch, J. (2015). Persistent low wages in New Orleans' economic resurgence: policies for improving earnings for the working poor. In The Data Center. (2015). *New Orleans Index at 10*.

Alabama Workforce Development Council engages employers and other partners in identifying workforce needs, aligns funding to address career advancement needs of employers and lower-skilled adults. Efforts to identify and address economic and workforce development gaps are vital to improving labor market engagement among protected classes in Mobile County and thus to increasing housing choice and economic mobility in the county.

Impediment #2: Continued Need for Neighborhood Infrastructure Development and Expanded Access to Opportunity in Areas of Concentrated Poverty

A lack of access to neighborhood infrastructure and opportunity in areas of concentrated poverty presents additional barriers to fair housing in Mobile County. Disparities exist among the county's cities and neighborhoods with regard to access to public facilities and infrastructure, grocery stores and other retail establishments, and quality housing. Cities and neighborhoods with higher proportions of Black residents in the county tend to have lower access to these opportunities relative to those with higher proportions of other racial and ethnic groups. Overall, moderate levels of segregation in the county combined with low levels of access to needed infrastructure and amenities in areas of concentrated poverty contribute to fair housing concerns.

Data presented in Chapter 5 and 6, including maps and input from meetings, interviews, and the community survey, indicate that neighborhoods with high poverty levels and those with higher proportions of residents of color tend to have lower levels of access to neighborhood infrastructure and opportunity. A majority of survey participants responded that roads and sidewalks, bus service, parks and trails, and schools are not provided equally in the county. About 40% indicated that grocery stores and other shopping are not equally provided, particularly for Prichard and the county's bayou communities.

Community members noted a particular need for reinvestment in the City of Prichard, where the county's racially and ethnically concentrated areas of poverty (RECAPs) are located (as shown in Chapter 3). Residents of Prichard also experience the highest housing cost burden in the county, as detailed in the maps of housing cost burden by census block group in Chapter 6. Residents noted a particular need for housing rehabilitation in Prichard. Sixty percent of survey takers noted 'neighborhoods that need revitalization and new investment' as an impediment to fair housing in the county.

Together, these measures indicate that a lack of access to quality neighborhood facilities, infrastructure, and housing in areas of concentrated poverty restrict access to fair housing choice by limiting opportunity for residents. As public investment in neighborhood infrastructure such as streets, sidewalks, and parks drives private investment, a lack of public investment poses barriers to residents' housing choice by furthering disparities in access to opportunity across cities and neighborhoods in the county.

To address disparities in neighborhood infrastructure and associated lack of access to opportunity, meeting attendees, survey respondents, and stakeholders interviewed in the course of this planning process emphasized the need for continued investment in neighborhoods with high concentrations of poverty. Survey respondents rated community parks, gyms, and recreational fields as the greatest public facility needs in the county, followed by public safety equipment and facilities, community centers, homeless centers, and health care facilities. Respondents rated stormwater/drainage improvements as the top public infrastructure need, followed by street/ road improvements, water/sewer improvements,

sidewalk improvement or expansion, and high-speed internet access. Further, to address these geographic disparities in investment in Mobile County, there is a need to further engage residents in areas of concentrated poverty regarding community needs and priorities.

Impediment #3: Lack of Affordable Housing Disproportionately Impacts People of Color

According to Comprehensive Housing Affordability Strategy (CHAS) data, members of racial and ethnic minority groups tend to have higher cost burdens and severe cost burdens than White residents, increasing their need for affordable housing that can be obtained at regional incomes. At the same time, people of color tend to live in census tracts with higher proportions of affordable housing units according to HUD's AFFH Mapping Tool. Given the persistence of high cost burdens despite the presence of affordable housing units, current affordable rental supply fails to meet the disproportionate demand for affordable housing. This is evidenced especially in Prichard and Bayou La Batre, where the share of renters may exceed 40%. Limited affordable rental supply also affects publicly supported housing users. A stakeholder from the Housing Authority of the City of Prichard noted that housing supply was limited for housing choice voucher users, who were often unable to live in the cities of their choice.

It should be noted that affordable housing options which were previously available in the area were diminished after Hurricane Katrina. A number of stakeholders indicated that rents increased following Hurricane Katrina, when landlords raised rents due to an infusion of federal dollars for evacuees. Stakeholders report that in subsequent years, the housing market did not return to its once affordable rents, despite the fact that incomes remained stagnant. Given that the state of Alabama prohibits rent control measures, the county should explore ways to mitigate the effects of rent hikes following natural disasters.

In addition to expanding the supply of subsidized affordable housing, Mobile County jurisdictions can review their zoning codes to identify ways they impact housing development costs and subsequent rent/sales price levels. Easing density restrictions or allowing more by-right multifamily development could increase housing options and affordability countywide.

Impediment #4: Evictions Disproportionately Affect Protected Classes

The eviction rate in Mobile County is 3.12% (4.8 evictions per day), which is higher than the rate across the US (2.34%) and the eviction rate within Alabama (1.82%). The majority of low- to moderate-income individuals seeking assistance with Legal Services Alabama are looking for help related to eviction. While most evictions are due to non-payment of rent, additional reasons include property damage caused by perpetrators of domestic violence and tenant requests for increased property maintenance due to reasons such as tenants' health needs. CHAS data indicates that members of racial and ethnic minority groups tend to have higher cost burdens and severe cost burdens than White residents, increasing the likelihood of evictions for these groups. However, victims of domestic violence and tenants with independent living difficulties may also be vulnerable to eviction.

Impediment #5: Disparate Access to Homeownership by Race and Ethnicity

Many households desire homeownership as an option to build equity and increase stability. However, homeownership rates and data regarding home mortgage applications indicate significant more barriers to purchasing a home for African American, Hispanic, and other race households than for White households. In Mobile County, about 80% of White households own their homes, compared to 60-65% of African American, Hispanic, and other race households.

While many factors, such as income, wealth, and credit history impact homeownership, data examined in this report shows that White households are both more likely to apply for mortgages and more likely to see their applications approved than other racial and ethnic groups. Home Mortgage Disclosure data for the Mobile Region indicates that African American applicants are 2.4 times as likely to be denied a loan than Whites. Other race households are 2.6 times as likely to be denied and both Asian and Hispanic households are 1.6 times as likely to be denied mortgage loans White households. Racial disparities persist at all income levels examined.

The County can continue to address these disparities with programs to assist first time buyers with the homebuying process and downpayments, as well as programs to help existing homeowners remain in their homes. In addition to working with existing and prospective homebuyers, the County can conduct outreach to lenders, encourage them to collaborate in achieving goals for affirmatively furthering fair housing.

Impediment #6: Supply of Housing Accessible for People with Disabilities is Limited

Housing facilities for persons with disabilities, such as those built under the Section 811 program, are limited in Mobile County. The HUD AFFH Mapping Tool identifies one multifamily site in Eight Mile, Onderdonk Cottages, which serves hearing impaired residents. Stakeholders noted that housing for people with disabilities is one of the county's greatest housing needs. Failure to accommodate a disability has also been a frequent fair housing complaint in Mobile County between 2015-2019. Four of the ten fair housing complaints outside recorded for areas outside of the City of Mobile included disability discrimination. Furthermore, stakeholders identified that due to the high cost of private transportation for people with disabilities, this group requires housing along public transit lines for reliable and affordable transportation. Onderdonk Cottages, for example, does not have access to transit. Persons with disabilities would also benefit from housing with supportive services included, such as case management, nursing, or other services.

Jurisdictions in Mobile County should also work to expand fair housing access for people with disabilities. Zoning code reviews conducted for this AI show that many cities and towns define a "family" (for purposes of controlling who may occupy a single dwelling unit) in terms that limit options for nontraditional families, unrelated groups who need co-living accommodations, and people with disabilities residing together in supportive living situations. Additionally, only one jurisdiction (Satsuma) has adopted a reasonable accommodation ordinance outlining the process for making requests for accommodations/modifications for accessible housing.

Impediment #7: Continued Need for Fair Housing Education and Enforcement

Mobile County has a continued need for fair housing education. While the county has strong fair housing service providers that coordinate well with other agencies in the region, additional resources will help broaden the reach of these services. Of the respondents to the survey, 56% stated that they knew their fair housing rights and 52% stated that they knew where to file a complaint. Between 2015 and 2019, there were at least 10 complaints filed in Mobile County (in cities outside of Mobile). The basis for discrimination in these cases was usually race, which was named in six cases, followed by disability (4), sex (1), familial status (1) or retaliation (1). Three of these ten complaints received successful settlements. Stakeholders also confirmed that some of the greatest complaints in recent years have been based on disability or on familial status, especially for families with teenagers.

Mobile County also has a significant Native American population in its northeast corner; the MOWA Indians are recognized by the state of Alabama. The county also has a significant Asian population in Bayou La Batre, whose families immigrated from Vietnam, Laos, and Cambodia after the Vietnam War. Residents from these areas will also benefit from fair housing information that is translated in several different languages, and that is culturally sensitive and appropriate.

TABLE 21 – FAIR HOUSING GOALS AND ACTIVITIES

Contributing Factors	Recommended Activities, Goals, and Timeframes	Responsible Parties and Partners
Impediment #1: Low Labor Market Engagement Restricts Access to Opportunity Among Protected Classes		
Educational and employment barriers limit economic opportunities	<ul style="list-style-type: none"> • Coordinate with regional workforce development partners to connect educators, industries, workers, and students to provide high-quality, paid work-based learning for residents in the Mobile Region, focusing on target populations in neighborhoods of concentrated poverty. (Ongoing, beginning 2020) • Partner with workforce development agencies and organizations to better identify barriers their students / clients face. Consider opportunities to use CDBG funding to address potential barriers and locating services in low- and moderate-income census tracts. (Ongoing, beginning 2020) • Invest in wrap-around services to support homeless individuals in obtaining and maintaining employment in addition to accessing housing and other needed services. (Ongoing, beginning, 2020) • Target neighborhoods with high proportions of low-earning workers as priorities for interventions that increase awareness of available subsidies and resources, including workforce development programs. (Ongoing, beginning 2020) • Direct any economic development subsidies to companies paying living wages and engaging in local hiring. (Ongoing, beginning 2020) • Continue providing CDBG or other funding for youth education enrichment activities to encourage reading proficiency, high school completion, career and/or college preparation, and other education components, including full-day programs to support parents in maintaining employment in low- and moderate-income census tracts. (Ongoing, beginning 2020) 	Mobile County
Impediment #2: Continued Need for Neighborhood Infrastructure Development and Expanded Access to Opportunity in Areas of Concentrated Poverty		
Continued need for neighborhood reinvestment in low- and moderate-income census tracts	<ul style="list-style-type: none"> • Continue to fund projects that develop, expand, or improve sidewalks, parks, trails, and other public facilities in low- and moderate-income census tracts with high need for these improvements. (Ongoing, beginning 2020) • Consider implementing mechanisms to increase and make consistent funding for parks and other infrastructure improvements in low- and moderate-income census tracts. (Ongoing, beginning 2020) • Target investment of CDBG funds in RECAPs. (Ongoing, beginning 2020) 	Mobile County

TABLE 21 – FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)

Contributing Factors	Recommended Activities, Goals, and Timeframes	Responsible Parties and Partners
Areas of the County are underserved with regard to access to services, grocery, and other neighborhood- oriented retail	<ul style="list-style-type: none"> Continue County promotion of Low- and Moderate-Income (LMI) Tracts as Opportunity Zones for the purpose of attracting businesses. (Ongoing, beginning 2020) Continue to provide economic development support such as infrastructure assistance for new small businesses that fill market niches and create jobs in low- and moderate-income census tracts. (Ongoing, beginning 2020) 	Mobile County
Need to further engage low- and moderate-income communities in planning decisions	<ul style="list-style-type: none"> Expand community engagement efforts focused on community needs and priorities in RECAPs and low- and moderate-income census tracts, including working with residents and community groups to shape the County’s approach to community engagement. Implement targeted outreach to engage with end users to identify areas for investment. (Ongoing, beginning 2020) 	Mobile County
Impediment #3: Lack of Affordable Housing Disproportionately Impacts People of Color		
Limited supply of affordable housing disproportionately impacts households of color	<ul style="list-style-type: none"> Assist private developers with expanding the supply of affordable housing units using HOME or other County funds or by supporting LIHTC applications. (Ongoing, 2020) Identify additional opportunities to support rehab and repair programs and/or new residential development in census tracts and block groups predominantly populated by racial and ethnic minorities. (Q4, 2020) 	Mobile County
Rent hikes during and after natural disasters reduce the supply of affordable rental housing for protected classes	<ul style="list-style-type: none"> Identify and record patterns of rent hikes following natural disasters. Given the state of Alabama’s restriction on any policy that controls rent for private property, the county may benefit from identifying those areas that are hardest hit and providing additional supportive services to those communities. (Ongoing, beginning 2020) 	Center for Fair Housing, Inc.; Mobile County
Local zoning codes could do more to remove artificial barriers to development of affordable and/or multifamily housing	<ul style="list-style-type: none"> Encourage jurisdictions that participate in the Urban County to review their zoning codes for opportunities to enhance access to affordable housing and/or multifamily housing. Examples include allowing attached housing types in single-family districts; permitting conversion of large single-family dwellings in high-opportunity neighborhoods to 2-, 3-, or multifamily dwellings compatible with the neighborhood character; decreasing minimum lot sizes; allowing for subdivision of large lots in low density districts; allowing zero lot line, patio homes, or cottage communities; or allowing accessory dwelling units. (Q4, 2021) 	Mobile County municipalities

TABLE 21 – FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)

Contributing Factors	Recommended Activities, Goals, and Timeframes	Responsible Parties and Partners
Impediment #4: Evictions Disproportionately Affect Protected Classes		
Evictions affect rent burdened people of color at high rates	<ul style="list-style-type: none"> Continue to support existing emergency rent programs and eviction prevention/mitigation programs/services. (Ongoing, beginning 2020) Capture and monitor eviction data within the jurisdiction in order to develop future policy solutions for managing evictions in target areas. (Q1, 2021) 	Continuum of Care/Housing First, Inc.; Mobile County
Impediment #5: Disparate Access to Homeownership by Race and Ethnicity		
<p>Smaller shares of African American households apply for home mortgage loans compared to White households</p> <p>Home purchase loan applications by African American, Latino, Asian, and other race households are more likely to be denied than those by White households</p>	<ul style="list-style-type: none"> Continue to fund homebuyer and/or financial counseling and downpayment assistance programs. Ensure that these programs are affirmatively marketed in creative ways to reach households who may be interested in participating, including people with limited English proficiency. (Ongoing, beginning 2020) Follow-up with homebuyer education class participants to identify barriers inhibiting home purchases and potential curriculum changes that may help address these barriers. (Ongoing, beginning Q4 2021) Fund development of affordable for-sale housing using HUD grant funds and partnerships with local affordable housing developers. (Ongoing, beginning 2021) When possible, make previously blighted parcels or vacant homes available for affordable homeownership. (Ongoing, beginning 2021) Conduct outreach efforts to local lenders to discuss disparities in homeownership rates and lending access. Explore possibilities to recognize local lending institutions that have shown a commitment to expanding homeownership, possibly by working with graduates of homebuyer education classes. (Ongoing, beginning Q1, 2021) 	Mobile County
Impediment #6: Supply of Housing Accessible for People with Disabilities is Limited		
Insufficient accessible housing exists to serve the needs of people with disabilities	<ul style="list-style-type: none"> Provide assistance to homeowners seeking to improve accessibility in single-family homes for rent. Consider offering a matching grant program for landlords seeking to retrofit their units to accommodate renters with accessibility needs. (Q3, 2021) Consider opportunities to encourage or incentivize the construction of new accessible housing units for people with disabilities. (Q1, 2021) 	Mobile County

TABLE 21 – FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)

Contributing Factors	Recommended Activities, Goals, and Timeframes	Responsible Parties and Partners
Local zoning codes impact housing accessibility for people with disabilities	<ul style="list-style-type: none"> • Jurisdictions in the Mobile County Urban County should review the definition of family in their zoning codes for potential impacts on accessibility for people with disabilities and non-traditional families. Amend as necessary. (Q4, 2021) • Jurisdictions in the Mobile County Urban County should adopt reasonable accommodations ordinances to outline the process for requesting modifications/ accommodations necessary for housing accessibility for people with disabilities. (Q4, 2021) 	Mobile County municipalities
Impediment #7: Continued Need for Fair Housing Education and Enforcement		
Data on housing discrimination complaint filings indicates that more fair housing education is needed for landlords	<ul style="list-style-type: none"> • Fair housing education for landlords should be developed and administered. <ul style="list-style-type: none"> ○ Review current fair housing services for opportunities to clarify or reprioritize the scope of work, with targeted fair housing education for landlords, including education related to reasonable accommodations and familial status. (Q4, 2020) • Conduct county-wide fair housing testing, specifically in the area of single-family and multifamily rental units. (Ongoing, beginning Q3, 2020) 	Center for Fair Housing, Inc.
Survey input and discrimination complaint filings indicate more fair housing education is needed for members of the public	<ul style="list-style-type: none"> • Either using in-house staff or through a contracted provider, annually design and/or update and coordinate delivery of a fair housing education program that reaches the public with information about fair housing rights and responsibilities, how to recognize discrimination, and how and where to file a complaint. (Ongoing, beginning 2020) 	Center for Fair Housing, Inc.
Immigrants and people with limited English proficiency are at heightened risk of housing discrimination	<ul style="list-style-type: none"> • Provide fair housing enforcement and education in culturally appropriate ways, particularly in non-English speaking communities. (Annually, beginning Q1, 2021) 	Center for Fair Housing, Inc.